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ABSTRACT

As the world embarks on a new millennium, the reality of child labor in developing and industrialized nations seems daunting. This teacher's guide is designed to introduce the subject of child labor to middle school students. The guide's intent is to provide teachers with ideas and suggestions that will help them in preparing their own lesson plans. The guide is divided into the following sections: (1) "Resources and Background Information"; (2) "Lesson Plan Ideas"; (3) "Plays, Stories and Poems"; (4) "Glossary"; and (5) "Documents." The lesson plan section provides nine diverse activities, including questions to answer while watching an accompanying videotape, a crossword puzzle, a debate exercise on U.S. intervention, writing assignment ideas, and multidisciplinary exercises. (BT)

LOST FUTURES

The Problem of Child Labor

A Teacher's Guide

SO 031 486

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INTRODUCTION

The American Federation of Teachers is pleased to provide *Lost Futures: The Problem of Child Labor*, a video and teacher's guide to introduce the subject of child labor to middle school students.

As we embark on a new millennium, the reality of child labor in developing and industrialized nations seems daunting. At the same time, a worldwide struggle to eliminate child labor is growing and intensifying. This video brings the issues surrounding this struggle directly to your students. It introduces the problem, describes the underlying causes, and offers a brief history of child labor in the United States. The video features the story of Iqbal Masih, a former child laborer from Pakistan who was murdered for boldly speaking out against bonded child labor. It also illustrates how classrooms like yours have participated in the fight to end child labor and suggests actions that your students can take.

The AFT believes the topic of child labor is an important one and we encourage you to spend as much time on this subject as your curriculum allows. Our intent was not to present an all-inclusive unit on child labor but rather to provide you with ideas and suggestions that will guide you in preparing your own lesson plans. We encourage you to take advantage of the references offered in the resource section of the guide. Many of the Web sites mentioned offer free educational materials and provide interesting and useful articles that are appropriate for middle school students.

Please keep in mind that the lesson plan ideas included in this teacher's guide are intended for a wide range of students. We encourage you to select those activities that are appropriate for your class and to adapt them as you see fit.

We hope you will find *Lost Futures* and the accompanying lesson plan ideas and resource materials helpful in implementing a successful unit on child labor.

LOST FUTURES: THE PROBLEM OF CHILD LABOR

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- United Nations *Universal Declaration of Human Rights*
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- International Labor Organization *Convention on the Worst Forms of Child Labor*
- United Nations *Convention on the Rights of the Child*

LOST FUTURES: THE PROBLEM OF CHILD LABOR

BACKGROUND INFORMATION AND RESOURCES

WEB SITES, ORGANIZATIONS AND READINGS

- **Kailash Satyarthi**, who appears in the video, is the chairperson of Global March and heads the South Asian Coalition on Child Servitude, an organization working to end child labor in India and neighboring countries. Since 1980, Satyarthi and his organization have liberated some 30,000 children from bonded labor. Satyarthi is a leader in the movement to establish the *Rugmark* label, which certifies and promotes hand-woven carpets made without child labor.
- The **Global March** seeks to promote public awareness of the existence of child labor and lobbies governments around the world to ratify conventions and pass laws protecting children from exploitive labor practices while guaranteeing their right to a quality, free education. For more information about the Global March, see: <http://www.globalmarch-us.org/index.htm> or contact:
Global March Against Child Labor United States Secretariat
733 15th St., N.W., Suite #920
Washington DC 20005
Tel: (202) 347-3817 Fax: (202) 347-4885 Email: children@globalmarch-us.org
- **Rugmark** and **Foulball** are programs promoting the labeling of Oriental rugs and soccer balls made without the use of child labor. To earn a label, manufacturers are visited by independent inspectors who make sure factory owners do not use child labor in the production of their rugs or soccer balls. For more information, visit:
<http://www.rugmark.com>.
- For more information about the **Broad Meadows Middle School** students and **Iqbal Masih**, visit the Broad Meadows Web site dedicated to Iqbal:
<http://mirrorimage.com/iqbal/index.html>.
- In the United States, child labor is most prevalent in the agriculture industry. For more information concerning child labor in the U.S. agriculture industry, as well as the Young American Workers' Bill of Rights, see the *Children in the Fields Campaign* at:
<http://afop.org> or contact:
Association of Farmworker Opportunity Programs
1611 North Kent Street, Suite 910
Arlington, VA 22209
Tel: (703) 528-4141 Fax: (703) 528-4145 Email: afop@afop.org

- For more information concerning the **United Nations Convention on the Rights of the Child**, lesson plans, and a list of resources, contact Child Rights Information Network at: <http://www.crin.org/crc.htm>

Or

UNICEF (<http://www.unicef.org/crc/>)

Or

The U.S. Committee for UNICEF <http://www.unicefusa.org>

333 East 38th Street - GC-6

New York, New York 10016

Tel: Public Information, (212) 686-5522 Email: clvons@unicefusa.org

- For more information about the **International Labor Organization's Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor**, see: <http://www.ilo.org/public/english/child/newsroom/worstfrm.htm>. This site also includes excellent educational materials that can be downloaded! Make sure to browse the IPEC site.
For younger, students, see the ILO's kids' page at: <http://us.ilo.org/ilokids/index.html>.
- For more information concerning the **history of child labor in the United States**, see the Smithsonian Institute's on-line exhibit on the history of sweatshops in America: <http://www.si.edu/nmah/ve/sweatshops/start.htm>.
- In the tragic 1911 **Triangle Shirtwaist Fire** described in the video, 146 factory workers, some as young as 15, perished. This event brought sweatshop conditions and child labor to the public's attention. For more information on this tragedy, visit: <http://www.ilr.cornell.edu/trianglefire/>.
- Establishing a **Code of Conduct** requires a corporation to develop, implement and enforce socially responsible production practices. Some codes of conduct have been established in the apparel industry. It remains unclear, however, if the codes can eliminate child labor and sweatshop conditions. For more information concerning codes of conduct in the apparel industry, see <http://www.dol.gov/dol/ilab/public/media/reports/iclp/apparel/main.htm>. To receive a **free** copy of *The Apparel Industry and Codes of Conduct: A Solution to the International Child Labor Problem?* contact:
Department of Labor ILAB
200 Constitution Avenue, N.W., Room South 5303
Washington, DC 20210
Tel: (202) 208-4843 Fax: (202) 219-4923
- For information about sending **health kits** and **school kits** to needy children in developing countries, look at the "Projects" section of Free the Children's Web page: <http://www.freethechildren.org/>, Email: freechild@clo.com, or call 1-800-203-9091.
- For more information on the American Federation of Teachers' **Child Labor Project** and additional Web sites, see: <http://www.aft.org/international/childinternet.html>.

The following books and readings are appropriate for introducing child labor to students of various ages:

- ***Child Labor: A Selection of Materials on Children in the Workplace*** is a collection of articles, lesson plans and resources describing child labor in countries around the globe. Good for middle and high school students. Contact: International Affairs Department, American Federation of Teachers, fax (202) 879-4502, email: iad@aol.com. This item is free to AFT members; \$5 to nonmembers.
- ***Children without Childhoods*** is a 12-page article on the child labor issue reprinted from AFT's Summer '96 *American Educator* magazine. Good for middle and high school students. Contact: International Affairs Department, American Federation of Teachers, fax (202) 879-4502, email: iad@aol.com. This item is free to AFT members; \$2.50 to nonmembers.
- ***"In Some Places, Child Abuse Is Business as Usual"*** is a 18" x 24" poster featuring a photo by David L. Parker. Contact: International Affairs Department, American Federation of Teachers, fax (202) 879-4502, email: iad@aol.com. This item is free to AFT members; \$2.50 to nonmembers.
- ***Stolen Dreams: Portraits of Working Children*** by David L. Parker features more than 50 photographs of children working in a variety of occupations. The text provides a thorough account of the forces that lead to child labor, the extent of the problem, and how to improve the circumstances of millions of children who work. Good for all ages. Hardcover: \$19.95, 112 pages. Contact: The Lerner Publishing Group, (612) 332-3344, fax (612) 332-7615.
- ***Iqbal Masih and the Crusaders against Child Slavery*** by Susan Kuklin is a powerful story about the young boy whose life and death inspired the international community to work against child labor. The book also describes the movement that continues his struggle against child labor today. Both sobering and inspiring, it shows how we are all implicated in the global practice of child labor and how we can all work together to end it. Best for middle school students. Available at local bookstores for \$16.95 or order from (888) 330-8477.
- ***Listen to Us: The World's Working Children*** by Jane Springer, published April 1998 by Groundwood Books. Nine to 12-year-olds will gain a wealth of information about the lives of children worldwide through Springer's sensitive photo essay. Through charts, maps, and personal accounts, Springer, a former UNICEF worker, introduces young readers to child laborers in many different countries. 96 pages, \$16.95.
- ***Lyddie*** by Katherine Paterson, published in 1992 by Puffin Books. After her father abandons the family, young Lyddie Worthen's mother hires the young girl out to pay his debts. "A superb story of grit, determination and personal growth."--The Horn Book. Best for ages 10 and up.
- Section III of this teacher's guide contains plays, stories and poems compiled by the International Labor Organization.

LESSON PLAN IDEAS

The following are ideas for classroom projects and activities while implementing a unit on child labor. Feel free to choose and adapt any ideas that you feel are appropriate. For additional ideas for lesson plans and worksheets, see the ILO and United Nations Web sites listed in the "Resources" section as well as some of the other suggested sites.

Introductory Exercises

- As a class, create a list of "human rights" and or "children's rights" on the board. Compare these lists with the actual text of the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and the International Labor Organization's new Convention on the Worst Forms of Child Labor (see "Documents" section).
- Talk about what is and what is not child labor. Stimulate interest by asking some questions:
 - Is delivering a newspaper okay?
 - Is working a few hours a couple of times a week after school okay?
 - Is helping your parents on the family farm okay?
 - Is it okay if your job interferes with your education?
 - Is it okay for an eight-year-old to work full time?
 - Can a twelve-year-old work with heavy machinery?

(It is important to note that different states in the U.S. have different child labor laws just as different countries in the world have different child labor laws. In many states in the U.S., children working in the agriculture industry are exempt from many child labor laws. Similarly, different states have different minimum age laws.)

- Your class is now ready for Activity #1, "What *IS* Oppressive Child Labor?" followed by the film and other classroom exercises.

Activity #1

WHAT IS OPPRESSIVE CHILD LABOR?

Take this quiz to see how much you know about what exactly is and is not oppressive child labor. Here are some brief guidelines based on U.S. and international laws:

- Work that prevents children from attending school is oppressive child labor.
- Work that is dangerous for kids and that is hazardous to their physical, mental or emotional health is oppressive child labor.
- Working more than 18 hours during a school week in any non-agriculture-related job by anyone under 16 years old is oppressive child labor.
- Helping out on a family farm or in a family business after school is okay as long as it doesn't interfere with the education of the child.
- Light work or chores done after school is okay.
- Apprenticeship or internship opportunities are also acceptable.

Which situation is oppressive child labor, not oppressive child labor, or are you not sure?

- 1) Jose is 13 years old. He works with his parents picking oranges in the U.S. every day after school for 5 or 6 hours. The heat is very strong and Jose would rather swim in the lake.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 2) Juanita is 12 years old and picks tomatoes in Texas every afternoon during the harvest. Sometimes her skin breaks out in a rash and she feels nauseous and dizzy. It has been determined that this illness is a reaction to pesticides sprayed in the fields where she works.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 3) Lisa is 15 years old and babysits for her neighbors one night a week and sometimes on the weekend. She is allowed to do her homework at her neighbor's house, but sometimes they don't get home until 11:00 at night.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 4) Gabriel is 5 years old. He and his family pick dirty scraps of cloth out of the local garbage dump to sell in the city. He has never been inside a school and often goes to bed hungry.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 5) Danny is 16 years old. He works a few hours a week at a fast food restaurant for money to pay for gas, movies and going out with friends. Sometimes Danny burns his fingers in the fryer because he didn't pay attention to the proper procedure during training.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 6) Jaya was sold by her family when she was 7 years old to help repay a family debt. She works 10 hours a day for her new master who sometimes beats her with tools for not doing a good job. Her duties sometimes include starting a fire from twigs to heat up water. Her poor family depends on her salary to buy necessities like food.
Oppressive child labor *Not oppressive child labor* *I'm not sure*

- 7) Jared is 17 years old and has dropped out of his school in New York to do yard work full time. The work is quite strenuous and he recently broke his arm in a work-related accident. Although he received compensation, he could not work for 6 weeks.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 8) Ursula volunteers at the hospital during the summer while she is in high school. She receives no money but is learning a lot and thinks that she wants to be a nurse someday.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 9) Agnes is 14 and works in a factory making clothes for 8 hours a day and rarely goes to school. Recently a fire broke out in the building that killed several of the young girls who worked there, including Agnes's sister. Many of the girls died because the manager of the factory locked the fire exit so that the girls could not escape from work.
Oppressive child labor *Not oppressive child labor* *I'm not sure*
- 10) John spends his afternoons after school and summers working on the family farm. It is hard work and often requires a lot of physical activity. Sometimes he would rather spend his summer doing something more fun, like going to sleep-away camp.
Oppressive child labor *Not oppressive child labor* *I'm not sure*

WHAT IS OPPRESSIVE CHILD LABOR?

ANSWER KEY

- 1) **Jose:** *"Not oppressive child labor"*
According to federal law in the United States, Jose can work unlimited hours in the agriculture industry as long as this work does not interfere with school and is not hazardous to the child's health.
- 2) **Juanita:** *"Oppressive child labor"*
Although U.S. law permits Juanita to work for unlimited hours in the agriculture industry outside of the school day, doing this particular job exposes her to harmful pesticides, and that is against the law.
- 3) **Lisa:** *"Not oppressive child labor"*
Lisa's work as a babysitter is neither dangerous nor does it interfere with her schoolwork. Some parents may consider 11:00 p.m. too late for a 15-year-old girl to be out of the house, but it is not illegal.
- 4) **Gabriel:** *"Oppressive child labor"*
Gabriel's job interferes with his right to an education. Furthermore, picking dirty scraps of cloth in a garbage dump is unsanitary and unhealthy and, therefore, is considered oppressive child labor.
- 5) **Danny:** *"Not oppressive child labor"*
Once a person has reached the age of 16, the law allows them to work as many hours as they want after school. Danny's injuries are a result of his own negligence.
- 6) **Jaya:** *"Oppressive child labor"*
At the age of 7, Jaya is protected by international laws that require her to attend school rather than be forced to work under hazardous conditions.
- 7) **Jared:** *"Not oppressive child labor"*
At 17 years old, U.S. child labor laws only protect Jared in particularly hazardous jobs. He does, however, have a right to compensation due to injuries sustained while on the job.
- 8) **Ursula:** *"Not oppressive child labor"*
Ursula's work at the hospital is educational and, therefore, not oppressive child labor.
- 9) **Agnes:** *"Oppressive child labor"*
The working conditions Agnes endures are very dangerous and interfere with her right to an education.
- 10) **John:** *"Not oppressive child labor"*
According to U.S. law, kids can work in the agriculture industry and on family farms as long as the work is not dangerous and does not interfere with the child's education.

Activity #2

DIFFERENTIATING BETWEEN A MINIMUM WAGE AND A LIVING WAGE

I. Definitions

- Minimum wage - The lowest wage paid or permitted to be paid by a legal authority.
- Living wage - A wage sufficient to provide the necessities and comforts essential to an acceptable standard of living.

II. Exercises

These exercises allow the students to understand that a minimum wage is not always a living wage by comparing what they or a family would receive at minimum wage to what they would need to live. These exercises should be completed in small groups or as a class.

For a student

- Find out the minimum wage rate in your area and put this on the blackboard or overhead.
- Multiply this amount by the number of hours you might work in a week (roughly 15) and multiply that amount by 4 (the number of workweeks in a month.) *The teacher should decide whether to deduct taxes, roughly 15%.*
- Allow the students to brainstorm what kinds of things they "need" to buy in a typical month and how much these items cost. (The teacher may need to help determine realistic prices.)
- Can you meet your needs with the amount you earn? How much do you have left over for savings, if anything? How much do you need to save for the future? (car, car insurance, college...) Do you think a family could live on this? Let's find out.

For a family of four (two working adults and two children)

- Find out the minimum wage rate in your area and put this on the blackboard or overhead.
- Multiply this amount by 40 (the number of hours in a typical workweek) and multiply that amount by 4 (the number of workweeks in a month.) Multiply this by two for two working parents. *Again, the teacher should decide whether to deduct taxes, or roughly 15%.*
- Allow the students to brainstorm what kinds of things the typical family needs to buy in a typical month and how much these items cost. Remember, this is a family, so consider rent, utilities, food, clothing, health insurance, transportation, etc. for four people. Again the teacher may need to help determine realistic prices and suggest some needs for the family that the students may not suggest.
- Can this family meet its needs on a minimum wage? What happens if one of the working parents loses their job, is injured or sick and cannot work, or needs to stay home with a sick child? Is this family able to save any money for vacations, new furniture, a car, or a new TV or holiday presents?

For a garment worker sewing children's clothing in Haiti

- Factory workers are paid 4 gourdes an hour, or about 30.5 cents. Multiply this amount by 40 to see how much the worker earns in a week. Multiply the weekly earnings by 4 to find out how much the worker earns in a month.
- Allow the students to work on their own or in groups to figure out how much a Haitian family of four spends on essential goods each month. Here are some costs for some basic necessities in Haiti:

Getting to and from work each day on a crowded Tap-tap.....	\$0.27
A small breakfast of spaghetti, bread and coffee.....	\$0.67
Lunch of rice and vegetable stew (<i>most workers can't afford dinner</i>)	\$1.00
Glass of juice.....	\$0.27
Weekly rent for an 8x10 one-room shack with no running water and a leaky roof	\$5.13
Water (<i>an average family requires six buckets a day</i>).....	\$0.08 bucket
Charcoal to cook one meal.....	\$0.63
One pound of rice.....	\$0.47
One pound of beans	\$0.60
One small can of tomato paste.....	\$0.66
A small bag of bread	\$0.53
Stew from a food stand (<i>enough for one person</i>)	\$1.00
Meal of sugarwater and bread.....	\$0.17
A can of powdered milk for an infant (<i>could be stretched to last a week</i>)	\$3.08
Second-hand children's shirt.....	\$1.00
Pair of used shoes.....	\$2.00
Monthly tuition fees for grammar school	\$7.00

- Can a family in Haiti provide basic necessities for the family with the amount of money they earn in the factory? Is the family able to save any money for future needs?
- Can the family afford to put the children through school or do you think it is likely the children will have to go to work in order to support the needs of the family? What do you think is meant by the "poverty cycle"?
- Compare: The worker who is paid 30.5 cents an hour earns \$2.44 a day, \$12.20 a week, \$48.80 a month or \$585.60 a year without vacations. The head of the American company that employs these workers earns \$20 million a year or about \$10,000 an hour.

* Information regarding the Walt Disney Company, their workers in Haiti, the cost of living in Haiti, and Michael Eisner's pay (Eisner is the chief executive of Disney Co.) comes from the National Labor Committee's flyer "Disney and 30-Cent Wages: Imagine Trying To Live on 30 Cents an Hour" September 1996. See NLC Web site, "Disney and 30 Cent Wages": <http://www.nlcnet.org/DISNEY/index.htm>

Activity #3

FREE THE CHILDREN INTERNATIONAL HEALTH AND SCHOOL KITS*

During the course of the unit on child labor, students can raise money from family members, classmates and local businesses to create "health kits" and "school kits" to be delivered to needy recently rescued child laborers around the world. Contact Free the Children for more information at 1-800-203-9091 or see their Web site at <http://www.freethechildren.org> and look under Projects.

SCHOOL/HEALTH KITS:

Free the Children is working to distribute health kits to children throughout the world. Health Kits are given to both children and parents in rural educational centers in developing countries. The children are most appreciative and find it to be a lot of fun to learn how to use the kits, not to mention the drawstring bags. The kit includes: toothbrush, family-size tube of toothpaste (6 oz-7 oz or 168 g-196 g squeeze tube in a box), bar of soap (5 oz-6 oz or 112 g-140 g), nail clipper with file and a hand towel (bright or dark colors). Items should be placed in a 10" x 12" (22cm x 27cm) drawstring bag.

WOULD YOU LIKE TO MAKE A DIFFERENCE IN THE LIFE OF A BOY OR GIRL IN THE DEVELOPING WORLD?

Our friends at Federal Express Canada Ltd. have generously offered Kids Can Free The Children the opportunity to ship badly needed school and health kits to our partners, Preda, in the Philippines, India and South Africa. A simple school or health kit consisting of items that we may take for granted can make a tremendous difference in the life of a child of the developing world. Often, children are unable to attend school because they lack basic items, such as paper or pencils. Even worse, some children cannot go to school because they do not have basic health and self-esteem supplies, such as toothpaste or toothbrushes. Simple and ordinary items for you or me, but for children in developing countries, these things are a luxury. For these children, these items are unattainable, unavailable or too expensive.

WHY DO THE CHILDREN NEED THESE KITS?

Education. Education is so important. Education allows these children to gain an awareness of the rights that they have and deserve. Education breaks the vicious circle of poverty and child labor by giving a child the intellectual potential to improve his/her life. These kits give the children access to an education.

HOW MUCH DIFFERENCE CAN THESE KITS MAKE?

A lot. UNICEF has proven that only three years of basic education makes a significant difference in a family's income, family planning and health care. In many countries throughout the world, if a child appears at the school's doorstep without basic educational supplies, he/she is turned away and forced into a life of illiteracy and a perpetuated cycle of poverty. If you walk the streets of Nairobi, Kenya, and stop a child working on the streets, they will all share the same

* From *Free the Children International*, "Projects: School and Health Kits," <http://www.freethechildren.org>

story: "No money for school supplies." Article 27 in the United Nations' Universal Declaration of Human Rights, which was first drawn up 50 years ago, states that children around the world have the right to education. We need your help to make this right a reality. **NO country has ever eradicated child labor without first providing free and compulsory education for all children.**

WHAT'S IN THE SCHOOL KITS?

Three spiral notebooks, 75 pages each, approximately 8" x 11" (21.5cm x 28cm), 4 unsharpened pencils with erasers, 1 small pencil sharpener, 1 ruler (metric), 1 regular-size eraser, 1 box of 12-16 colored pencils or crayons, and 1 ball (similar in size to a tennis ball). **Register now!** Our friends in the Philippines have asked, if possible, that we include one World Map for every 30 kits. A laminated small world map the size of a table placemat would be preferable to a paper map. Items should be placed in a drawstring bag, approximately 24 cm x 42 cm (12" x 17"). A pillowcase with a cord laced through the hem edge works well. Please try and ensure that all items are new or unused and that the kits are of equal quality in order for all of the children to receive similar kits. A donation of 50 cents to 1 dollar (per kit) would be appreciated to fund the operating costs and enable Kids Can Free The Children to purchase bulk items for future shipments. We would welcome businesses that could offer us assistance (wholesale price or surplus items) in acquiring contents for the School Kit Project.

Activity #4

CHILD LABOR VOCABULARY

The following terms are associated with child labor, either in the video or in the discussion questions and assignments.

exploitation	petition
Global March	Industrial Revolution
United Nations (UN)	loom
textile mill	labor unions
International Labor Organization (ILO)	codes of conduct
pesticides	independent inspections
social activist reformer	sweatshop
Fair Labor Standards Act (FLSA)	boycott

- 1) _____ - a formal written request asking for change, which may be signed by supporters who agree with the request.
- 2) _____ - a frame used in making carpets.
- 3) _____ - an international movement to promote awareness of the existence of child labor and to lobby governments to pass legislation that protects children.
- 4) _____ - a factory where cloth is produced that is used in making clothes and other items.
- 5) _____ - policy statements that require factories that do business with a company to meet certain legal and ethical standards.
- 6) _____ - organizations that protect the interests of workers in a particular industry or occupation.
- 7) _____ - a unified effort to change the way a company does business by refusing to buy its products.
- 8) _____ - an agency of the United Nations consisting of government, labor union, and business representatives that is designed to protect the rights and interests of all workers around the globe.
- 9) _____ - a shop or factory where workers are employed for long hours at low wages and under unsafe conditions.

- 10) _____ - a rapid major change in an economy marked by the introduction of power-driven machinery. Generally refers to a period during the 19th century in Western Europe and the United States.
- 11) _____ - chemicals used in agriculture to enhance plant growth and protect against pests. They can cause harm to people who work in farms where they are used.
- 12) _____ - a law passed in the U.S. in 1938 that regulates labor practices, including minimum wage, minimum age and working conditions.
- 13) _____ - a person who actively works toward improving conditions throughout society.
- 14) _____ - an international governing organization consisting of representatives from almost every government in the world.
- 15) _____ - a process by which a person who is not employed by a company makes sure its factories obey the law and its code of conduct.
- 16) _____ - the unjust or improper treatment of one person by another for profit or advantage.

Activity #4
CHILD LABOR VOCABULARY
Answer Key

- 1) Petition - a formal written request asking for change, which may be signed by supporters who agree with the request.
- 2) Loom - a frame used for making carpets.
- 3) Global March - an international movement to promote awareness of the existence of child labor and to lobby governments to pass legislation that protects children.
- 4) Textile mill - a factory where cloth is produced that is used in making clothes and other items.
- 5) Codes of conduct - policy statements that require factories that do business with a company to meet certain legal and ethical standards.
- 6) Labor unions - organizations that protect the interests of workers in a particular industry or occupation.
- 7) Boycott - a unified effort to change the way a company does business by refusing to buy its products.
- 8) International Labor Organization - an agency of the United Nations consisting of government, labor union, and business representatives that is designed to protect the rights and interests of all workers around the globe.
- 9) Sweatshop - a shop or factory where workers are employed for long hours at low wages and under unsafe conditions.
- 10) Industrial Revolution - a rapid major change in an economy marked by the introduction of power-driven machinery. Generally refers to a period during the 19th century in Western Europe and the United States.
- 11) Pesticides - chemicals used in agriculture to enhance plant growth and protect against pests. They can cause harm to people who work in farms where they are used.
- 12) Fair Labor Standards Act - a law passed in the U.S. in 1938 that regulates labor practices, including minimum wage, minimum age and working conditions.

- 13) Social activist/reformer - a person who actively works toward improving conditions throughout society.
- 14) United Nations - an international governing organization, consisting of representatives from almost every government in the world.
- 15) Independent inspection - a process by which a person who is not employed by a company makes sure its factories obey the law and its code of conduct.
- 16) Exploitation - the unjust or improper treatment of one person by another for profit or advantage.

Activity #5

MOVIE QUESTIONS

Read these questions before watching the video, then answer while watching

- 1) Can all children in the world go to school?
- 2) What is meant by child labor?
 - a) children are under the legal age to work
 - b) children work longer hours than allowed by law
 - c) workers receive little or no wages
 - d) children work in dangerous working conditions
 - e) work prevents the education of children
 - f) all of the above
- 3) Why must some children go to work instead of to school?
- 4) Name one place where children worked in the early part of the 20th century.
- 5) Who generally opposed child labor early in the 20th century?
 - a) social activists
 - b) consumers
 - c) labor unions
 - d) most business leaders
 - e) crusading journalists
 - f) answers a, c and e only
- 6) How many people died in the Triangle Shirtwaist Company Factory fire?
 - a) 146
 - b) 461
 - c) 17
 - d) 1300
- 7) Does the Fair Labor Standards Act protect children in the workplace?
- 8) Does child labor exist in the United States?
- 9) Give two reasons why employers want children to work for them.
- 10) Do international laws exist to protect children?
- 11) Why do you think the kids from New Jersey were not allowed to perform their play at their school?

12) Who was Iqbal Masih?

13) How much money did the students from Broad Meadows raise?

a) \$146 b) \$147,000 c) \$15,000 d) \$75,000

14) Would you rather work or go to school? Why?

Activity #5
MOVIE QUESTIONS
ANSWER KEY

- 1) Can all children in the world go to school?
No
- 2) What is meant by child labor?
f) all of the above
- 3) Why do some children go to work instead of to school?
They live in poverty and their families need the extra money.
- 4) Name one place where children worked in the early part of the 20th century.
New England textile mills, Appalachian coal mines, New York City sweatshops or Delaware canneries.
- 5) Who generally opposed child labor early in the 20th century? (The video mentions that "consumers didn't think twice about [child labor]" and many business leaders profited from child labor.)
f) answers a, c and e only
- 6) How many people died in the Triangle Shirtwaist Company Factory fire?
a) 146
- 7) Does the Fair Labor Standards Act protect children in the workplace?
Yes, it improves working conditions and compensation for parents and sets a minimum age for working in certain industries.
- 8) Does child labor exist in the United States?
Yes. The film mentions that child labor is especially prevalent in the agriculture industry where children receive little protection under the law, but children also work in other industries.
- 9) Give two reasons why employers want children to work for them.
Acceptable answers include: children work for less money, are more easily controlled and are unlikely to complain about unsafe working conditions or low wages.
- 10) Do international laws exist to protect children?
Yes, but they often are not enforced.
- 11) Why do you think the kids from New Jersey were not allowed to perform their play at their school?
Answers may vary - good opportunity for classroom discussion.

12) Who was Iqbal Masih?

He was a freed child laborer from Pakistan who visited a middle school in Massachusetts to talk about child labor. He was murdered shortly after returning home. (See "Background Information and Resources" for more information.)

13) How much money did the students from Broad Meadows raise?

b) \$147,000

14) Would you rather work or go to school? Why?

Answers will vary.

Activity #6

CROSSWORD PUZZLE

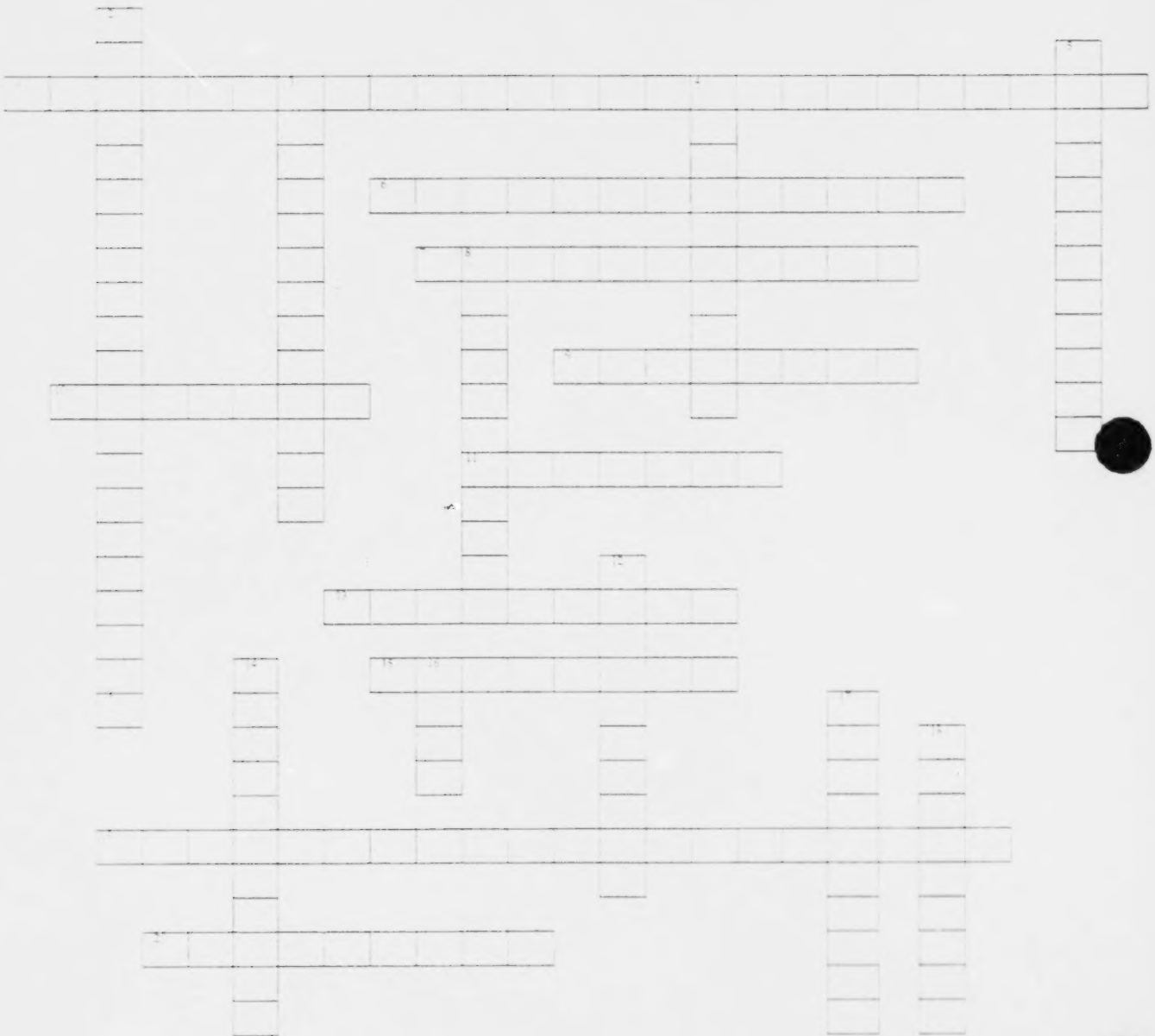
DOWN

- 2) Law passed in 1938 that regulates labor practices in the U.S., including child labor.
- 3) Type of campaign designed to inform newspaper editors, heads of companies or government representatives.
- 4) Young boy from Pakistan who was killed for speaking out about child labor in his own country after receiving an award for his work in the United States.
- 5) Middle school in Quincy, Massachusetts, where students work hard to help children go to school instead of work.
- 8) Organizations that protect all of the workers in a particular industry or occupation.
- 13) Chemicals, used on farms, that can be especially harmful to children working in the fields.
- 14) Industry where much of the child labor in the United States occurs.
- 16) Continent where the largest number of child laborers can be found.
- 17) Workplaces where employees typically work long hours under terrible conditions and receive very little pay.
- 18) People who want to improve society by changing laws or social norms.

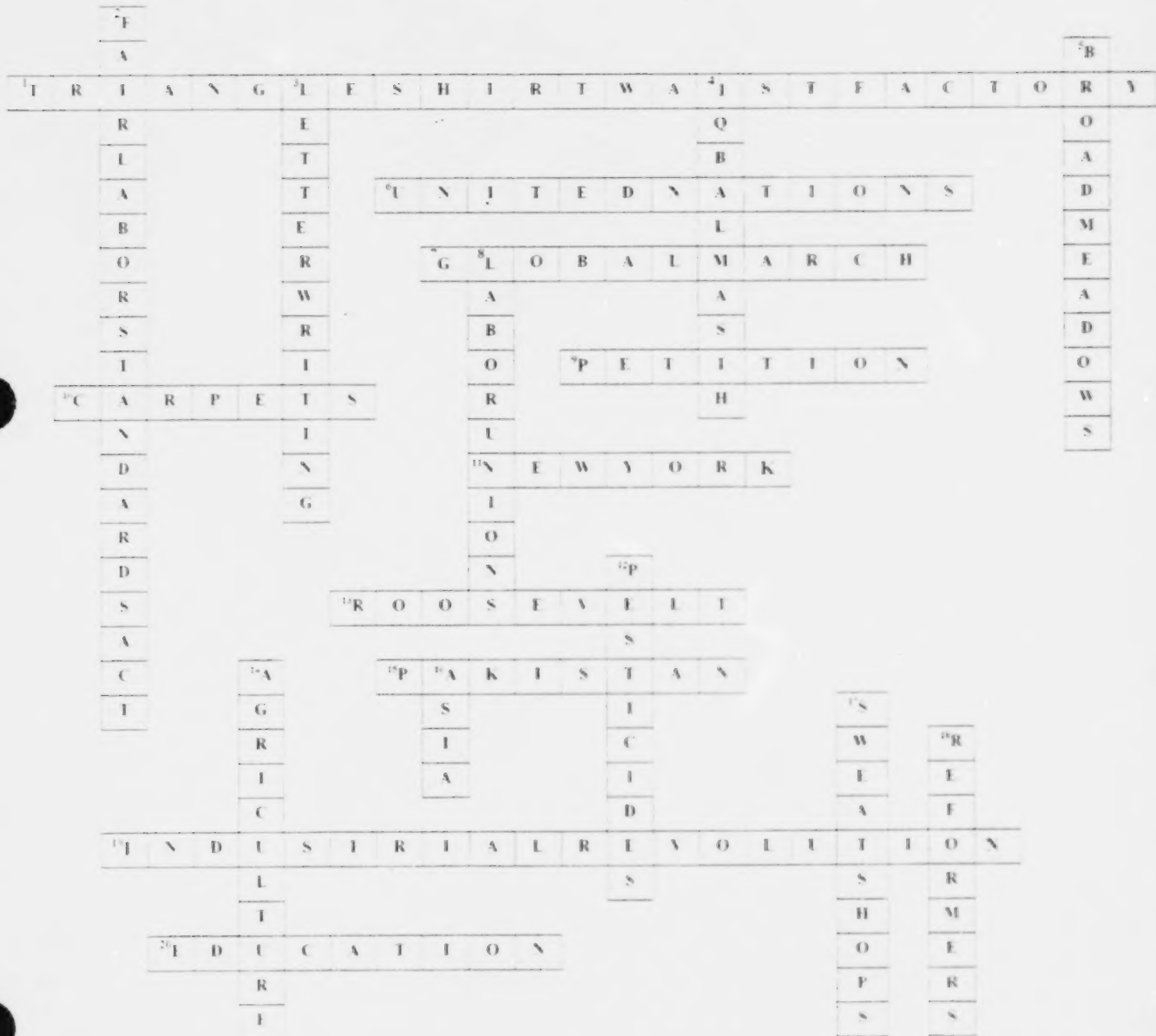
ACROSS

- 1) 146 people died during a fire in this New York City clothing factory.
- 6) This is an international governing organization with representatives from almost every country in the world.
- 7) This international effort is designed to bring attention to child labor issues and lobby for passing legislation preventing child labor.
- 9) Something you can circulate to make people aware of a problem and gather signatures indicating support on an issue.
- 10) Iqbal Masih and many other child laborers make these in Pakistan.
- 11) Large American city where many children worked in sweatshops.
- 13) This U.S. president signed the FLSA in 1938 regulating child labor for the first time.
- 15) Country in Asia where Iqbal is from and where many of the world's soccer balls, carpets and surgical instruments are made using child labor.
- 19) Period of time when child labor was common and powered machines were first used.
- 20) This will help children improve their lives by gaining access to better jobs with higher pay.

Activity #6
CROSSWORD PUZZLE



Activity #6
CROSSWORD PUZZLE
Answer Key



Activity #7

CHILD LABOR DEBATE

Background

As discussion concerning child labor heats up, lawmakers and human rights activists in the United States and around the world are trying to figure out what they can do to decrease or eliminate child labor. With increasing frequency, human rights groups are promoting public awareness campaigns that put pressure on companies that produce goods made with child labor to end such practices. Consumers are asked to boycott these goods and write letters to the company executives. Furthermore, lawmakers in the U.S. have considered legislation that would restrict the import of goods made with child labor. Will such steps help working children find their way into schools and out of factories? Or will such actions increase poverty and misery by reducing the number of workers and therefore the income of already poor families?

Vocabulary

Boycott – the refusal to do business with someone or something in order to express disapproval or to force acceptance of certain conditions.

Most-favored-nation trading status – countries that are “friendly” to the United States receive privileges and advantages when they trade goods and services with the U.S.

Informal sector – refers to the type of work that is not regulated or recognized by the government or where workers do not pay taxes. Often includes street vendors, servants and maids.

Independent monitors – agents who ensure that a factory is complying with accepted standards of production and who are not paid by the factory itself.

Trade restriction or import ban – restrictions to prevent imported goods from coming into a country if they are produced using specified methods such as child labor or slave labor.

Free trade – international trade between countries with few or no government regulations; like a tariff (import tax) or quota (limits on the number of imports of a certain product).

Traditional society – generally refers to a society that uses traditional means of production instead of mechanized methods; a society that is not industrialized.

Forced or indentured laborers – Workers who are treated like slaves; they receive little or no compensation and cannot quit or leave the job.

United Nations – An international governing body set up after World War II to promote and encourage respect for human rights.

Universal Declaration of Human Rights – This is the basic document defining human rights adopted in 1948 by the United Nations.

Extreme poverty – Situations in which the poorest people of society are hungry and have little or no clothes, medical care or ability to support themselves.

World Trade Organization – an international agency that sets and enforces trade agreements among member countries.

Debate Exercise

(Note to teacher: If you anticipate that the students will overwhelmingly favor one side of the debate, you may want to arbitrarily divide the class and only provide them with arguments favoring their assigned position. You may prefer to let the students come up with arguments on their own or allow them to brainstorm arguments for and against both sides before allowing them to see the following suggestions. Some of the concepts in the reading may be difficult for your class. Please take the time to discuss concepts such as trade wars, most-favored-nation status, extreme poverty in developing countries, unregulated [informal] economic sector, export economic sector, the World Trade Organization and free trade. Keep in mind that the students only need to understand the logic of the argument.)

Read the article on the next page concerning proposed U.S. legislation that would ban the importation of goods made using child labor. Now decide if you believe that the U.S. legislation would help end child labor or cause child laborers and their families to suffer even more.

You are against U.S. interference with the labor practices of other countries.

- Poor families in developing countries depend on the extra income they receive from their working children.
- If children lose their jobs, they will have no income to support themselves and will be forced to work in even worse situations in the informal sector of the economy.
- The U.S. and other rich countries have no right to dictate to developing countries how to treat their children. These proposed regulations interfere with the traditional culture that exists in many developing countries.
- Such legislation will cause an increase in prices to U.S. consumers.
- Implementing a ban on goods made by child labor would cost U.S. taxpayers.
- The use of child labor is a necessary part of the development process in poor countries, the same process the United States went through during the 19th century.

You are in favor of a U.S. ban on goods made using child labor

- Current U.S. legislation only prevents goods made using forced or indentured child laborers and does not apply to family-owned farms, family-owned businesses, or jobs that are not harmful to the mental and physical development of the child such as those in traditional cultures.
- Legislation banning goods made with child labor only reinforces obligations to abide by international agreements such as the *United Nations Convention on the Rights of the Child*.
- Child laborers who are affected by such legislation often live in homes where the parents are unemployed because employers prefer to hire children who can be paid less.
- If employers and governments in developing countries obeyed international laws governing the right to an education, Social Security and a "living wage," poor families would not have to rely on the income of children to survive. (*The Universal Declaration of Human Rights and the Convention on the Rights of the Child state that all individuals have the right to a decent standard of living provided through Social Security if sufficient income from employment is unavailable.*)
- If a country cannot afford to pay Social Security and welfare to poor citizens, how can it afford a large military budget?
- Poverty will only be relieved if children have a chance to get an education.

Child Labor*

From the Heritage Foundation The Labor Home Page Issue Briefs

A number of policy makers have called for an import ban on products made in violation of another nation's child labor laws. While no American wants to see children exploited anywhere in the world, trade restrictions will hurt families in other countries by limiting their income and slowing their development. Trade restrictions will further endanger, rather than protect, many children by driving child labor underground into even more unregulated jobs. An import ban will also hurt American families by raising prices and limiting consumer choices.

Discouraging child labor in other countries is nearly impossible to implement unilaterally. Child labor can be abolished only so far as societies are able, out of their own interest, to recognize and act on the need to limit the work of children. To achieve progress against child labor, developing countries have to address the root causes in the popular culture and institutions of their own societies. It is a complicated global problem that will not be solved by implementing U.S. trade restrictions.

Children work in other countries for a variety of reasons. The most important is poverty. Child labor often helps ensure the survival of their family and themselves. Children are often prompted to work by their parents. According to one study, parents represent 62 percent of the source of induction into employment. Though children are not well paid, they still serve as major contributors to family income in developing countries. To the extent a U.S. import ban is effective, it may have the unintended consequence of reducing already low family incomes and living standards. Moreover, an import ban will not address the root causes of child labor, poverty, the lack of schools, and traditional and cultural factors.

Trying to eliminate child labor from other countries' export industries and occupations through import restrictions can result in the dismissal of working children. But they often just transfer to other domestic jobs. This can further endanger, rather than protect, many children by driving child labor underground into even more unregulated economic sectors.

Unilaterally implementing an import ban runs the risk of starting a trade war that would hurt families around the world. Moreover, who would decide when child labor laws have been violated? How would they be enforced? Would this mean revoking the most-favored-nation trading status of countries such as China? What impact would the World Trade Organization have? Proposing an import ban may be good political rhetoric, but it is terrible trade policy.

* <http://www.labor.org/workplace/childlab.html>

Threatening trade restrictions based on labor standards is not justified. The problem with such a stance is that not all forms of child labor are exploitive or cruel; the age deemed "child" labor is not clear and varies across countries; poor countries cannot necessarily afford such measures; and levels of poverty would increase. Furthermore, free trade is probably part of the solution to eradicating child labor. This is because free trade promotes development worldwide, and as countries develop, the incidence of child labor decreases substantially. Genuine human rights concerns are important, but protectionism is not the answer.

Activity #8

WRITING ASSIGNMENT IDEAS

1. Create a classroom mural. (See example on following page.)
2. Write a journal entry by one of the child laborers you saw in the video.
3. How were the rights of the children in the video violated (either with or without looking at laws of the appropriate country or international agreements in the "Documents" section)?
4. Write a letter to the editor of a local newspaper or national magazine.
5. Write a letter to your Senator or member of Congress.
 - Do you think the U.S. should ratify the United Nations Convention on the Rights of the Child? (Senate only)
 - Should the U.S. Congress strengthen the FLSA, the national law regulating working conditions, by passing the Young American Workers' Bill of Rights? (Summaries of both are provided in the "Documents" section.)
 - Should the U.S. demand that its trading partners respect the human rights of their workers? Should these countries ratify U.N. and I.L.O. conventions protecting workers in their country?
6. Write a letter to the head of a large corporation whose production policies concern you.
 - Ask them about their policy concerning codes of conduct and enforcing these codes in the factories of their contractors both in the U.S. and abroad.
 - Does this company allow independent monitoring of its factories?
 - Does an industry-wide labeling coalition exist that guarantees no sweatshops or child labor is used during production? If so, does this company belong to it?
 - Are certain employee rights and conditions - such as the right to organize a union, a living wage, a minimum age, and health and safety standards - guaranteed?
7. Write a letter or visit a local Oriental rug dealer to see if they sell rugs with the Rugmark label. Be prepared to tell them about Rugmark. (See the Rugmark Web site: http://www.rugmark.de/english/e_home.htm.)
8. Write slogans or poems about child laborers (haiku, ballad, narrative, monologue, free verse....)
9. Write a story about child laborers.

CLASSROOM MURAL

Line one wall of your classroom with colored paper. Allow the students to draw, stencil, or cut and paste phrases about child labor like: "Guess' who is making these jeans." You may also want to include posters on the wall like the one available from AFT. (Fax (202) 879-4502 or email iad@aft.org your postal address and ask for the child labor poster.) You may want to allow your classes to be creative and expressive in coloring and lettering the mural or drawing child labor-related pictures. The following are some examples from an AFT classroom in Warwick, New York:

"Children should be cherished, not perished." -Brianna

"Children are people, not property." -Jess

"Do children a favor: stop child labor." -A.J.

"Why must children be suffocated when they should be educated?" -Max

"A child is a terrible thing to waste." -Samantha

"Stop the suffering; start the teaching." -Eileen

"It's a bargain, but is it really worth it?" -James

"Put the child back in children." -Justin

"Child labor is a childhood lost." -Erin

"The children of today are tomorrow's future- don't exploit this world's future." -Desi

"Don't let tears ruin your rug -don't use child labor." -Kristen

"America raves- kids are not slaves." -Meg

"We're too young; let us have some fun." -Dave

"Only a jerk would let a child work." -Natasha

"No sewing machines for teens." -Corey

Activity #9

MULTIDISCIPLINARY EXERCISES

1. Create a play about child laborers. Look into performing the play at your school or at a school nearby. (Elementary schools love this type of activity.) Be prepared to answer questions when the performance has ended.
2. Develop a newspaper or a newscast on the topic of child labor. One or two students could act as the anchorperson or editor while other students report on issues relating to child labor, such as child labor in different industries or geographic regions and efforts to solve child labor problems, local stories, or stories about celebrities like Michael Jordan and Kathie Lee Gifford who are involved in this issue. If possible, videotape the newscast or reproduce the newspaper for the rest of the school.
3. Stage an art exhibition or contest to attract public interest in the problem of child labor. Look into cooperating with teachers in other schools.
4. Create posters to display around the school and community to stimulate student and public interest in the problem of child labor. Posters should include information about the problem and steps people and students can take to prevent the problem from continuing.
5. For geography class, research countries where child labor is widespread. Together, your students can discover which geographic, economic and social factors may contribute to the existence of child labor (lack of natural resources, overpopulation, system of governments, causes of poverty, distribution of wealth....)
6. Geography classes may also decide to invest in a large world map. Each day students can check the tags on their clothes to see in which country they are made and put a pushpin into the country on the map. They may see patterns developing and research the countries with the most pins. Students can discuss what types of conditions exist in a typical garment factory in that country.
7. Weekly current events focusing on articles relating only to child labor. This may require access to international newspapers, magazines or the Internet. (Check the links at the International Affairs Department's Child Labor Project on AFT's site: <http://www.aft.org/iad/childlabor/index.htm>.)

Child Labour*

(A play performed by Gathunguru Primary School, in Kenya)

The following play was performed by school children, as part of the travelling theatre company, organized by ANPPCAN, with the support of IPEC. This, and other plays dramatized by the troupe, takes child labour as its overall theme, examining its causes, dangers and consequences on children. They perform the plays, travelling from village to village, in order to raise the awareness of the local community as to the issue of child labour. The play is then followed by a debate, in which audience and actors alike participate, and which often go on long after the play is over. The project also organizes workshops for teachers and district leaders, where action programmes to combat child labour are discussed. The drama project has proved to be very successful in raising awareness and changing attitudes concerning child labour.

The Cast

Ndungu	Father
Nyambura	Mother
Kamata	Son
Kiune	Son
Nyakaria	Daughter
Wangui	Daughter
Kiraka	Neighbour
Wairimu	Neighbour
Paul	Teacher
Kimani	Nyapara
Nyokabi	Visitor
Chief	Two silent actors

Play summary

Scene one

At Mr. Ndungu's home the children have been sent home from school for lack of school fees, uniforms and lack of books. Mr. Ndungu finds it difficult to meet these school requirements, let alone feed the children. He therefore decides that the children should discontinue schooling and instead seek casual work at the coffee estate.

Scene two

At the coffee farm Kimani Nyapara is seen harassing children, giving them a lot of work with torrents of insults.

Scene three

A visitor arrives at Mr. Ndungu's home. She is from Nairobi and is searching for a maid. Mr. Ndungu decides to give her his daughter as a maid and instructs that the wages be paid directly to him.

* Reprinted with permission from International Program on the Elimination of Child Labor/International Labor Organization. From Child Labor-An Information Kit for Teachers, Educators and their Organizations.

Scene four

At Nyakobi's house things are not O.K. Nyakaria is being abused since the work is too much for her and her employer is biased. Nyakaria decides to quit her job and go back home.

Scene five

At home Kiune, Kamata, Wangui are seen lamenting and Nyakaria arrives and narrates her ordeal.

Scene six

Wairama, Kiraka, Paul and the chief visit Mr. Ndungu and a discussion erupts on child labour.

SCENE ONE

(At Mr. Ndungu's home)

(The children rush in)

Kamata Mum! Mum! Are you there?

Nyambura Yes, son! What happened, why are you not in school?

Kamata We have been chased from school and until we finish paying the money we owe the school we shall not be allowed to go back.

Nyambura Wait for your father, he is just about to come and he told me he was going to look for some money. I am going out shortly and will be coming back.

(She leaves the sitting room and then suddenly there is a knock on the door)

Nyakaria Come in!

Ndungu (Entering with a visitor, Mr. Kiraka) How are you my daughter and where is your mother?

Nyakaria She has just gone out briefly, but she should be back any moment.

Kamata Father, we have been sent away from school due to lack of school fees, uniform and books.

Ndungu Don't worry son! I will see to it. (And then to Kiraka) My friend, you see how life is difficult?

Kiraka For sure life is unbearable, but what do we do? Mine have also been sent away.

Ndungu My friend, it is unbearable for me. I cannot both feed and educate them. I need help.

Kiraka Why don't you go and work at the coffee farm as a casual worker?

Ndungu My health is not good and so I cannot do manual work. However, I know what I will do!

Kiraka (Curious) Tell me what you plan to do?

Ndungu My friend! My children are the ones to help me out and so they will have to work in the coffee estates as casuals.

Nyambura (Walking in) Oh! Sorry for walking in suddenly, anyway how are you, Mr. Kiraka?

Kiraka (Standing up) Fine Mrs. Ndungu, you have just come in when I am leaving.

Ndungu What is the hurry for? Please stay around, you might get something to eat since mama Nyambura is back.

Kiraka *(Leaving)* No thanks my friend, maybe later. See you in the evening!

Ndungu and Nyambura *(together)* See you, Mr. Kiraka.

Nyambura Its good you came early. Have you seen the children?

Ndungu Of course I have seen them. In fact I already know their problem for which I have a solution.

Nyambura Good to hear that! But remember there is nothing to eat. Anyway, tell me about your solution.

Ndungu *(Shouting)* Kamata! Kiune! and all of you, come here!

Children *(together)* Yes father. *(Hurrying in)*

Nyambura Do not stand please. Let each of you sit down. *(The children sit down)*

Ndungu This is my strategy, all of you tomorrow will have to go to work at Karangaiti coffee estate.

The rest of the family *(in shock)* Oh!

Nyambura But how? These are children; we need to send them back to school.

Ndungu Unless you have the money on you to take them back!

Nyambura You know very well I have nothing.

Ndungu Then shut up! They will do what I say!

Nyambura *(Protesting)* No! No! You cannot do that! That is destroying the future of our children. A future without education is a future without hope.

Ndungu Listen, woman, this is a hard choice for me, but I have no choice but to do so.

Nyambura *(stubbornly)* We can look for other alternatives. You and me can work at the coffee farm.

Ndungu Look here, you know very well that is impossible. No matter how much we try we still cannot make it.

Kamata *(Concerned)* Please do not quarrel, we will help out.

Nyakaria *(Supporting)* We agree to help.

Ndungu Good! I think you understand that to pay fees, buy uniforms and books is not easy and besides, we don't eat stones, but foods.

Nyambura O.K. I agree, so children you will have to wake up very early to catch the lorry for the shamba.

Children *(together)* Yes mother.

Ndungu I am going out but I will soon be back and remember to bring all the wages home. No one should misuse them. *(Leaves)*

Nyambura Let me see what to do. *(As she goes to the kitchen and the children leave the stage)*

SCENE TWO

(Children are seen working hard at the coffee farm)

Kimani Kamata! Kamata!

Karrata Yes sir

Kimani Come here.

Kamata (*Rushing in*) Here I am.

Kimani I told you I do not like this nonsense

Kamata What is it sir?

Kimani Stupid! (*Going after him as if to beat him*). I don't entertain lazy people in my shamba

Kamata But we are not lazy, don't you see we are working hard?

Kimani I am seeing nothing but a bunch of fools and idlers.

Kamata What do you want us to do?

Kimani Work faster and better.

Kamata O.K. Let us try.

Kimani You are insulting me, child. Here there is no room for trying but work, and very hard work, to earn.

Kamata Fine, we will work.

Kimani You dog, tell the rest that I am not amused.

Kamata (*Shaking his head*) But I am not a dog, sir.

Kimani Then swine, donkey, bastard, name it-This is not school, so don't complain and work or I will whip you.

(*Kamata runs away and the other children shake their heads in silence*)

SCENE THREE

(*At Mr. Ndungu's home*)

(*Knock at the door*)

Nyambura Come in. (*She opens the door*)

Nyokabi How are you, Mrs...

Nyambura (*Cutting her short*) Mrs. Ndungu. How can I help you?

Nyokabi Well, may I come in?

Nyambura Oh! I'm sorry, forgive me, I didn't mean to be rude.

Nyokabi Thank you, it's O.K. I do understand; one can be a bit busy and forget so many things.

Nyambura (*Sitting*) Well I do not know you but how can I help you?

Nyokabi I am Nyokabi, I live in Nairobi and I am looking for a house girl. I do not know if you can be of any help.

Nyambura (*Nodding her head*) Oh, I see, I am not sure, though I do have a girl but still in school. At the moment she is at home.

Ndungu (*Coming in*) Alas? We have a visitor. How are you madam?

Nyokabi Fine, Mr.,

Ndungu I am Mr. Ndungu and this is my wife (*Pointing to Nyambura*)

Nyambura Ndungu, this is Nyokabi from Nairobi. She is looking for a house girl.

Ndungu Good! She came to the right place and at the right moment.

Nyambura You mean you want to give her one of our daughters?

Ndungu Of course! Nyakria will do fine; she is now a big girl.

Nyambura But what of school?

Ndungu Yes, when we have enough money, then she can go back to school.

Nyokabi I promise to pay her well and on time.

Ndungu That is very kind. But remember, all payments should be made to me.

Nyokabi Do not worry. She won't touch even a single shilling because I will provide her with everything she needs and send her wages directly home.

Nyambura Nyokabi, you will have to wait because she went to work at the coffee farm.

Nyokabi No problem, I can wait.

(Suddenly the children enter looking tired and hungry. They greet their parents and the visitor)

Ndungu Nyakaria!

Nyakaria Yes father

Ndungu You can sit. Otherwise the others can go and have a rest.

(The children leave)

Nyakaria What is it father?

Ndungu First, where is the money you worked for today?

Nyakaria Kamata has all the money we worked for today.

Ndungu Good! Now prepare yourself to leave with this visitor in order to go and work for her.

Nyakaria But father, I do not...

Ndungu Shut up! What I say is final. Do as I say, is that clear?

Nyakaria Yes, father.

Ndungu Good! Go and wash then change, you will have fun working in the city. It's not like the shambas.

(Nyakaria leaves quietly, but unhappily. Her mother follows her, then Ndungu excuses himself and leaves. Then Nyakaria, mother and the other children reappear to send Nyakaria on her way, with Nyokabi)

SCENE FOUR

(At Nyakobi's home)

Nyokabi Nyakaria! Nyakaria!

Nyakaria Yes, Madam.

Nyokabi You fool, come here!

Nyakaria What have I done?

Nyokabi Don't ask me what you have done as if you have done something.

Nyakaria But why are you angry?

Nyokabi I don't pay your parents for you to sleep and eat.

Nyakaria But I do work for you.

Nyokabi Look at the floor, look at this furniture, look at the house! *(Pause)*. Filthy, yet you are here to work!

Nyakaria But I have to do one thing at a time!

Nyokabi You fool, shut up! *(Angry)* I will beat you!

Nyakaria Give me time, I will finish all this.

Nyokabi Time! Time! Are you mad? You are just a whore like your mother.

Nyakaria Why do you abuse me, Madam?

Nyokabi Because I am the boss; I can do what I like to you. *(Slapping her)* Never argue with me again, or else I will kill you.

Nyakaria *(Sobbing)* I have to leave! *(Pause)* I work so hard yet you seem not to see! *(Pause)* You beat me and insult me!

Nyokabi Go! Go! Go! The way you are, do not touch anything you lazy dog, leave this house before I get mad! *(Nyakaria leaves the house crying)*

SCENE FIVE

(At Mr. Ndungu's home, the children are sitting in the room, Kamata with a bandage on his leg, Kiune with one on his hand and Wangui holding her head)

Wangui Ouch! my head is splitting.

Kamata Do not worry, it is because of those debes of coffee you carried on your head.

Kiune What of my arm? It hurts like hell. Kimani the Nyapara almost killed me because I poured the coffee down, yet it was not intentional.

Kamata That is life, brother. Look at my leg, I thought I wouldn't survive that accident we were involved in. Our lorry driver was drunk, and the way he was driving!

Wangui Do not mention it, brother, I'm scared of the way we children are being treated.

(Suddenly Nyakaria enters sobbing. The children, together in surprise)
Nyakaria!

Kiune What has happened sister?

Nyakaria I have been beaten and chased away by my employer.

Kamata *(Bitter)* That's employers at work! No child is safe. Harassment is the order of the day. And here we remain tied because of poverty.

Wangui *(Comforting her sister)* Stop crying, sister, this will come to an end!

Kamata That is right! Enough is enough, we want no more working, no more insults and we want to go back to school.

Wangui *(To Nyakaria)* Look at my head, it is swollen. *(Pause)* Why? Because of carrying coffee debes from morning till evening, non stop!

Kiune Look at my arm, it is not an accident. I was beaten for a mistake that was not even mine.

Kamata God rescued me, but with a broken leg, just because of work, yes! Child labour!

Nyakaria *(Sadly)* We have no honour, we are cheap labourers who are there to be used!

Kiune Enough, this must stop and with or without money I am going back to school.

Wangui Let's wait for our parents and tell them that we have had enough.

Nyakaria I won't be a housemaid again. I can't take the insults, beatings and the work.

SCENE SIX

(Mr. Ndungu at home with Nyambura)

Nyambura Now what do we do, my dear husband?

Ndungu What do you want us to do?

Nyambura That is what I am asking you.

(There is a knock at the door)

Ndungu Someone is knocking; go and check.

Nyambura *(Goes to the door and opens it)* Oh! come in my friend Wairimu.

Wairimu *(Enters)* Thank you, Nyambura. *(Pause)* Oh, how are you, Mr. Ndungu?

Ndungu *(Sadly)* Fine, Wairimu.

Wairimu Are you sick, Mr. Ndungu?

Nyambura No he is not. It is only this problem.

Wairimu Which problem?

Nyambura Our children have been sent home for lack of school fees; we have tried to make them work, but it didn't work.

Wairimu Oh, now I see. *(Nodding her head)*

(Knock on the door)

Nyambura Come in.

Kiraka *(Walks in)* How are you people?

Together Fine, Mr. Kiraka

Kiraka Ndungu, you look sad, what's...

(Another knock on the door)

Ndungu *(Loudly)* Come in

Chief *(Walking in)* Good afternoon, everyone!

All *(Standing in respect)* Good afternoon, Bwana Chief.

Ndungu Welcome, Chief, it is an honour to see you.

Chief My friend, it is long since I saw you

Nyambura *(Offering him a seat)* Take a seat, Chief, welcome.

Chief Thank you, Madam. *(Sitting down)* Ndungu why are you so lost? You do not even attend our bazaars.

Ndungu *(Apologetically)* Sorry, Chief, but...but

(Knock at the door)

Nyambura Come in.

Paul *(Coming in, and then surprised)* Oh! How are you, everyone?

(Together) Fine, teacher!

Ndungu Welcome. *(Offering his seat)* Take a seat, teacher.

Paul Thank you but I won't stay long.

Chief Ndungu, tell us about the problem you are hiding.

Ndungu You know, Chief, I do not have a job and my children were sent away for lack of school fees and life is damn difficult.

Nyambura Even what to eat here is a problem for us.

Paul But I heard that your children are working at the Kiraka coffee farm and one as a house girl in an urban area.

Ndungu They were, but ... but...

Nyambura (*Nyambura cuts him off*) Not any more, they are hurt both physically and morally.

Wairimu How?

Ndungu My children have been insulted, beaten, even hurt so they don't want to work any more, yet they want to go back to school.

Paul I am sorry, Mr. Ndungu, it is not only you who has this problem, there are a lot of school drop-outs.

Chief I have heard enough of child labour! They are being mistreated by adult employers and this must stop.

Kiraka But how are we going to stop it?

Wairimu I think it is not easy, but people should try.

Paul Something must be done and very soon, for these children are being wasted and are suffering.

Chief I will call an urgent meeting on this issue.

Nyambura That will be kind of you, but how will they continue their education?

Kiraka That is a challenge!

Chief We should begin thinking about how to keep our children in schools.

Ndungu Yes, and that way we parents can concentrate on how to feed the children after school.

Paul That is a good idea. (*Nodding his head*)

Chief I think the children have had enough. I have heard a lot of cases of child abuse as a result of child labour.

Wairimu Employers should be stopped from employing children.

Chief (*Standing up*) Let me leave. I will see you at the meeting. (*Leaving*)

Paul (*Also standing*) Thanks a lot, but please, Mr. Ndungu, let the children come to school while we wait to solve this problem.

Kiraka Can my children come, too, school teacher?

Paul Of course, let them come. Goodbye. (*He leaves the stage and the rest follow*)

THE SCENT OF JASMINES*

The smell of the jasmine has always been a part of my life. My grandmother smelled of something which even to me as a baby was delicious. Perhaps it was no great wonder that no sooner did she pick me up than I would fall asleep. It was the smell of the jasmines.

When I was eighteen and all ready to leave home for the first time and go away to college, my mother gave me a bottle of jasmine perfume. As I sighed with contentment, I asked her:

"How did you know, Mummy?"

She smiled. Then she said:

"Jasmines are special. They are stars that left the sky and decided to live on earth. They are 'flowers of heaven'. They are 'stars of the Earth'."

It was one Christmas vacation that I was given a grant by the college to go to Egypt for a field trip. Then I found out about the 'flowers of heaven'. Then I came to see what lay behind the glitter of the magic fragrance of the 'stars of the Earth'.

It was an Egyptian friend who took me to the jasmine fields. As the evenings dew settled, the green bushes began to sprout the flowers. And the evening began to smell like my grandmother. I told Achmad about it. I was surprised to see his lips curl up. I could not be sure whether in disgust or mockery, but it was not a pleasant thing to see. I asked him why, and he said:

"Janine, you'll see why."

The night deepened. The sky spangled into trillions of stars as though to rival the scrubby bushes with stars caught on their branches. Then there was the sound of an ancient truck. It stopped near us. Out of the back of this ancient vehicle spilled dozens of children.

I turned to look at Achmad.

He smiled wryly:

"There is where your fragrance comes from."

I looked perplexed and the confusion must have shown because Achmad said:

"Janine, be patient."

I looked at them, the children. All thin. All tired-looking. All below the age of 14. Some looked so frail and so tiny that in my own country they would have been guarded by hospital care or smothered by everything overfond parents could provide.

I watched them being pushed and prodded by a brutal, overweight overseer. The children denuded the trees of their stars with all the gentleness of a breeze plucking the yellow leaves from autumn trees.

And the starlike blossoms piled like falling snow on the ground as the children upturned them from the enormous baskets they carried.

I watched in silence - and disbelief - and anguish. The baskets piled up. The bushes were now more green than white. Some of the children began to droop. I looked up to the sky unable to bear what I saw before me, when I found the sky lightening. The night was nearly over. A new day was getting ready to be born.

* The following stories, *The Scent of Jasmines* and *The Fig*, are reprinted from: "This is My Story, Short Stories About Child Labor" from International Programme on the Elimination of Child Labour International Labour Organization.

"Why? "

He hedged

"Why what Janine?"

"Why the children?"

"Because, my friend, the perfumers who buy jasmine want the flowers fresh and unbruised."

"And? " I probed.

"Only children's fingers are soft and gentle and fragile enough to harvest your 'stars of the Earth' "

But why through the night Why can they not do it in the day?"

"Because the jasmine is shy and releases its freshness and perfume to the dew of the evening and night. The perfumers get them freshest when they are plucked at night."

"Where do they get the children, Achmad?"

"Children are plentiful and cheap in poor families. Families that have too many mouths to feed. Families that need the work of every hand to stay alive "

He pointed out Fatima. She was thin, more bone than I had ever seen on any child.

"Her mother now needs to feed the four children her husband left her with. He replaced her washed out beauty with another girl. Fatima is the eldest and at eight she must contribute because there is Yasmin, Mustafa and baby Nasreen to be fed."

I looked at Fatima's face. Then I asked Achmad to ask her why she came to work plucking the flowers.

The child answered in a voice like mist:

"Who will feed the family?"

"Where is your father now?"

"He has a new family. He no longer wants us."

I looked at the mountainous pile of the jasmines. They seemed to be crystallized tears.

I never buy any perfume now. And the jasmine does not remind me of the stars. It reminds me of tears, Fatima's and all her fellow workers who bleed their lives away so that your grandmother, and my mother can smell of stars, delicious and delightful.



THE FIG

The little boy sat with his back propped up against a tree which had barely enough leaves to give him shelter from the blistering sun. The cattle he was supposed to be herding and guarding ambled in the hot sun, picking at the sparse vegetation. The drought had not lifted this year either. He looked at the bony cattle, but his mind was elsewhere. His aunt was coming back today from the big city where she worked. He didn't like her very much because she was always telling him not to chatter, not to fidget, not to... she had a long and unending list of all the things he should not do.

The boy loved to hear about the big city where the big houses rose into the sky. He tried to imagine what the houses looked like and why they didn't fall down. He had tried putting one pebble upon another, but he never got very high. They always came tumbling down. Maybe, he thought to himself, the stones they used were not uneven like the pebbles he used. She had also told him about the buses that were not like the boxy, ugly things that once a day trundled down the dust track that led to the boy's village. Even these were built with one compartment above another.

But what he loved hearing about most was a box called the TEEVEE. You could see pictures from anywhere in the world. Even man walking on the moon. Now this the boy didn't believe. He thought about it a great deal. He really would like to go somewhere other than his dusty village, with its thorn brush, dryness and heat. He would love to go where things are green. The boy remembered the time when these same dusty plains had been covered with green and the cattle did not show their bones.

That evening after he had taken the cattle into the enclosure made of thorn branches plaited together, he dashed home. And no

sooner had he set foot in the house his aunt said:

"Don't run into the house!"

The boy smiled to himself. She had started... but he didn't mind. He had too many questions he wanted her to answer. As he stuffed the dry cornmeal mixed with water into his mouth, his questions started spilling out like sawdust out of a scarecrow.

"Aunt, tell me what you saw on the TEEVEE?"

His aunt laughed and said:

"You'll have to wait to find out for yourself boy."

The boy groaned. When would he grow up enough to be considered old enough to go to the city. So he pleaded. His aunt smiled.

The boy pleaded.

"That will be years. I'm only eight summers old now. Please."

His aunt laughed and said:

"Tell him, my sister"

The boy looked inquiringly at his mother. She spoke slowly, as though she carried a mountain of rocks upon her chest.

"Yes, my son. You go with your aunt to the city."

The boy whooped with delight, rushed out of the single-roomed straw and wattle shack, danced like an inspired dervish in the star-filled night.

Two days later his mother placed a small bundle into his hands. Some maize bread and a tiny handful of dry figs. The latter was a luxury and suddenly the boy came to realize that his mother must be feeling real pain at his going. The bundle also

contained his best vest and a pair of striped shorts. These were his best clothes.

Then it was time to leave. The boy looked at his mother's thin face and her eyes shone with tears she would not shed. It would not be a good omen to send her eldest child away with tears. Holding onto her skirt was his younger brother and in her arms the new baby. There was no father to send him on his way into the big city, where he would do a man's job for a boy's pay, but there would be money enough to send home. His father had died of a mysterious illness which had killed off so many other fathers of the boy's friends. And so many mothers. For a moment a dreadful panic seized the boy. Would he see his mother again?

He would not cry though the tears stood ready to burst through his ebony eyes. No! He was going to do a man's job. He must not cry.

The boy looked at the towering building touching the clouds. It gleamed white in the sun. So, the buildings really did climb up into the sky. His aunt wasn't pulling a fast one. Maybe, then, he thought, men really have walked on the moon. She took him up in a meagre box that climbed so fast that he nearly lost his breakfast. Then they were inside a house... no, it must be a palace.

"Here he is, Madam. He's strong and obedient. He can work long hours", said his aunt to the lady who was dressed in some material that made the boy want to touch it. It looked like rain and flowing rivers, so cool, so blue and green all in one.

"Good, Miriam. He will do. And though he doesn't look very strong, I suppose a few good meals here will fatten him up. But he must have a bath."

And so began his life in the house of the diamond merchant's wife.

Up at 5 every morning. Light the gas stove which always frightened him. Then make

the tea in the china tea service. Load it on the tray which gleamed quietly. His thin arms strained and he bent double as he carried the tray in.

The days went through the same routine breakfast dishes to be washed. Then the dogs had to be taken down for a walk. Then the shoes had to be shined. Really shine. He didn't want them thrown back at his head as the day when the elder son of the family had seen a speck of dust the boy could not see. His ear had taken a direct hit. It had hurt but he did not cry.

Sometime between 12 and 12 30 his aunt would give him two pieces of dry toast left over from the breakfast table, and a cup of dark bitter tea. Sometimes the boy remembered the milk the cattle he looked after gave him. Not every day of course, but when he was given a small cup by his mother it had tasted better than anything he had known.

One afternoon, when "Madam" had sat down to watch the TV in the big drawing room, he had tried to creep in. But she had said:

"Boy, go back to the kitchen. Servants are not allowed to enter here unless they have some work."

And she had soon found him something to do. Every day.

"Go and clean James' golf clubs."

"Sophia said that her gym shoes were not clean yesterday. The teacher was furious with her. Go and clean them again."

"Go to the grocers and pick up the shopping."

There was always something to do which he had not done, or not done well enough. He nodded off in the kitchen late at night waiting for the family to finish their dinner. He washed up the bone china carefully, and

then settled down to wolf down the thin soup and potatoes that was his meal. Every day. He wondered sometimes when he would be fattened up.

He cried sometimes at night when he lay huddled under the kitchen table on a rough coir mat. It didn't matter if he cried then because no one could see or hear him. He cried for the open sky under which he had grazed his cattle. He cried for the freedom he had felt playing with his friends who also grazed their cattle nearby.

Simple games they played, like "catch" or the trees they climbed. And he missed his family, his brother and sister. He tried not to think of his mother. He kept her away from all conscious thought because he felt he would not be able to stop crying. He was held in a grip of fear that his mother, too, would die as other mothers of so many of his friends, a victim of the strange disease they called AIDS. He had kept one dry fig in his pocket, the tangible proof of his mother's love and of the home he had left behind.

The fig got him into trouble.

One day he had dropped one of the wafer-thin teacups. He hadn't dropped it. It had slid off the heavy tray as he brought it out to the kitchen. Madam had beaten him. He had tried to escape the shower of blows.

When he saw her hand rise to his head he pulled his hands out of his pocket and tried to fend it off. The fig that was his last contact with home fell onto the floor. As he dived to pick it up, Madam swooped.

"So you are beginning to steal as well. Not only are you careless and useless, you are a thief."

He blubbered and stammered.

"My mother gave it to me... I didn't steal it."

Likely story. Where would your mother get a fig? Miriam told me that she couldn't even

feed you one meal a day. It was only out of pity that I agreed you could come. It would be one less mouth for her to feed. How could she give you a fig?"

And the tirade went on.

"Useless! Careless! Good for nothing! Lazy! A thief and a liar!"

More blows. The boy bent his head and took the beating. She picked up the fig and flung it into the bin.

The boy watched his home being flung into the garbage. The words buzzed louder than the pain in his ears. "Liar! Thief! He said nothing. His aunt was right about one thing. He was obedient.

He lay under the table after she had spent her rage. His aunt found him rolled into a tight ball of misery. She screamed at the boy: "You have dishonoured your family. You stole."

"My mother gave it to me when I came from home."

"Listen, nephew! I know the miserable handful of figs she gave you. A few three months you couldn't have had any left. You are a thief. Shame on you! After all the kindness the mistress has shown to you!"

He stuttered:

"M...mother gave it to me ... It was h...home."

"Utter nonsense! How can a fig be home! The mistress said you can stay but she will not pay you this month. You broke an expensive cup and you stole! Your mother would have been so ashamed of you ... thank God she will never know."

The boy looked at his aunt for a long moment. Then the enormity of what she was saying broke into his mind. He whispered:

"When?"

"Last week. "

"But you didn't tell me."

"What was the point? You would have started sniveling and wanting to go home. The mistress said it was better you continued working. At least the money would be useful. There was nothing you could do for your mother."

"And the children. Where are they?"

"The baby died. Your brother is being looked after by the neighbours."

That night after the family had fallen asleep he crept down the long flight of stairs from the seventh floor. He walked out onto the street. He was afraid. He didn't know where he was going, but he knew he must go and find his brother. He couldn't allow his brother to be brought up by other people. He would find him and make a home for him.

The boy did not cry. He was doing a man's job. He must not cry. He must keep the remains of his family together. He didn't know how, but he would find his way home again. He must.

POEMS*

The Little Children

Sadly through the factory doors
The little children pass,
They do not like to leave behind
The morning sky and grass.

All day the wheels will eat their joy
And turn it into gold,
And when they pass the door again
The world will seem so old.

Irwin Granich

The Price of Sugar

A summer under open skies,
A child - a thousand children,
A burning sun, cold rains
- And sugar beets.
A summer working sugar beets.
And youth - youth pulled and topped
And ploughed beneath the soil
- As fertilizer.
Youth pulled and topped and granulated,
And weighed - weighed out in bags
For us to buy, and please
Our tooth for sweets.
A summer under open skies,
A child - a future forming,
No schooling to distract
From sugar beets

Frances B. Williams

Child Labour is...

Child labour is...
shades of darkness
silence on the outside, war on the inside
the yellow-violet of old bruises
the sound of flies
a tear

Child labour is...
a rough silk scarf knocking you down
a stinky sock
murky green and dirty speckled grey
a dress woven of pain
dirty, itchy woolen underwear you can't take off
hungry eyes
broken dreams
a frightened smile
a mechanical routine

Child labour lives...
in a black hole in space
in a pen surrounded by all the beautiful things of
the world
anywhere it wants

Child labour's most precious belonging is...
its children that are killed and forgotten forever

Child labour is...
afraid of people who stand up for themselves

Michael F. Fasternak

Ali Baba

My name is Ali Baba. I am ten years old.
Today is an important day, today is Christ's
birthday
If I skin 4 chickens, I get a crisp rupee note,
Inside that big black drum
The chickens are fluttering

My name is Ali Baba, gathers the Christmas
crowd,
That is why my body is covered in blood,
I am not feeling the bitter cold,
I just haven't the time for that,
38 birds means nine rupees and 50 paisa.

When I get home at night it's time to massage
my uncle's back
I don't have any bedding, not even a pillow
Even then I fall asleep in the cold December
month,
I dream of kites flying in the ink-black night
My tears are getting fewer now, my courage
grows apace.
My name is Ali Baba, still just ten years old.

Chhanda Bose

The Years Ahead

It's been a long, long night
Centuries have been born,
Centuries have died
Since first I was born,
Since first I cried,
Not knowing why I was chained,
Why denied
The right to be joyous,
Be a human child.

It's been a long, long night
The ages have flourished
Upon my toil
I've tended cattle,
Tilled the soil
I've fed the furnace,
Watched metal boil,
Heard curses break about me,
Saw whips uncoil.

From the long, long night
A new dawn broke free with a sigh
Whispered to my heart
"Do not die"
Hold fast to promise,
It is no lie,
In this new day breaking
No child shall cry.

Chhanda Bose

Work Permits

Who gives the permit that a child shall work?
Who judges "Now his schooling will be stopped
That he may earn this money every week?"
Who gives work permits?
Who rules a child has learned all he will need
To fill a drudge's place throughout his life?
The man assumes himself a mighty god
Who gives work permits.
What boy or girl receives that precious slip
Who does not cry - "No more need I to learn -
For I am now full grown! To prove it - look -
Here's my work permit!"
Who gives the permit that a child shall work?
Who steals from him the moulding of his life
- The right to learn and play till he is grown?
Who gives work permits?

Frances B. Williams

GLOSSARY

Boycott - A unified effort to change the way a company does business by refusing to buy its products.

Broad Meadows Middle School - Middle school students from Quincy, Massachusetts, who raised enough money to build a school for former child laborers in Pakistan.

Code of Conduct - Policy statements that require factories that do business with a company to meet certain legal and ethical standards.

Convention on the Rights of the Child - The most widely ratified U.N. document in history, designed to protect the rights of children, including child laborers.

Convention on the Worst Forms of Child Labor - ILO convention that seeks to eliminate the use of children in the most exploitive and harmful jobs.

Education - Helps children break the poverty cycle by providing them with the knowledge and skills to work in jobs that provide a living wage or better.

Exploitation - The unjust or improper treatment of one person by another for profit or advantage.

Extreme poverty - Conditions in which the poorest people of society are hungry and have little or no clothes, medical care or ability to support themselves.

Fair Labor Standards Act - Law signed by Franklin Roosevelt in 1938 that regulates labor practices in the U.S., including child labor.

Forced or Indentured Laborers - Workers who are treated like slaves; they receive little or no compensation and cannot quit or leave the job.

Free Trade - International trade between countries with few or no government regulations like a tariff or quotas.

Global March - International effort to bring attention to child labor issues and to lobby for legislation preventing child labor.

Independent Inspections - A process by which a person who is not employed by a company makes sure that company's factories obey the law and its code of conduct.

Industrial Revolution - A rapid major change in an economy marked by the introduction of power-driven machinery. Generally refers to a period during the 19th century in Western Europe and the United States.

Informal Sector – Refers to type of work that is not regulated or recognized by the government or where workers do not pay taxes. Often includes street vendors, servants and maids.

International Labor Organization - An agency of the United Nations consisting of government, labor union and business representatives dedicated to protecting the rights and interests of all workers around the globe.

Iqbal Masih - Young boy from Pakistan who was killed for speaking out about child labor in his own country after receiving an award for his work in the United States.

Labor Union - Organizations that protect the interests of workers in a particular industry or occupation.

Living Wage - A wage sufficient to provide the necessities and comforts essential to an acceptable standard of living.

Loom - A frame used for making carpets.

Minimum Wage - The lowest wage paid or permitted to be paid by a legal authority.

Most-Favored-Nation Trading Status - Trading status of countries that are "friendly" to the United States; provides privileges and advantages when they trade goods and services with the U.S.

Pesticides - Chemicals used in agriculture to enhance plant growth and protect against pests. They can cause harm to people who work without protection on farms where they are used.

Petition - A formal written request asking for change, signed by supporters who agree with the request.

Quota - Trade restriction that limits the number of a certain product allowed into a country.

Rugmark and Foulball - Programs promoting the labeling of Oriental rugs and soccer balls made without the use of child labor.

Social Activist Reformer - A person who actively works toward improving conditions throughout society.

Sweatshop - A shop or factory where workers are employed for long hours at low wages and under unsafe conditions.

Tariff - Trade restriction that attaches a duty or fee to imported goods.

Textile Mill - A factory where cloth is produced that is used in making clothes and other items.

Trade Restriction or Import Ban - Restrictions that prevent imported goods from coming into a country if they are produced using specified methods, such as child labor or slave labor.

Traditional Society - Generally refers to a society that uses traditional means of production instead of mechanized methods: a society that is not industrialized.

Triangle Shirtwaist Company Factory Fire - 146 people, many of them under the age of 15, died during a fire in 1911 in this New York City clothing factory because the owner locked the doors to prevent workers from leaving.

United Nations - International governing body set up after World War II to promote and encourage respect for human rights.

Universal Declaration of Human Rights - The basic document defining human rights adopted in 1948 by the United Nations.

World Trade Organization - An international agency that sets and enforces trade agreements among member countries.

Young American Workers' Bill of Rights - Proposed legislation in the U.S. Congress that would strengthen laws protecting child laborers in the U.S., especially in agriculture.

WHAT IS OPPRESSIVE CHILD LABOR?

Many regulating agencies, both within the United States and internationally, determine what constitutes "oppressive child labor."

I THE UNITED STATES

In the United States, child labor was first regulated by the *Fair Labor Standards Act* (FLSA) enacted in 1938. Amendments to the FLSA were passed in 1949, 1966 and 1974. The following are some key results as they relate to child labor. Note the distinction between agriculture and non-agricultural sectors¹:

AGRICULTURAL OCCUPATIONS				NON-AGRICULTURAL OCCUPATIONS (a)		
Age	Allowable Occupations	Allowable Hours	Other Conditions	Allowable Occupations	Allowable Hours	Other Conditions
16-17	All	All	None	Non-hazardous (b)	All	None
14-15	Non-hazardous (c)	Unlimited hours outside of school	None	Non-hazardous explicitly permitted by DOL (d)	Up to 40 hours in non-school week; up to 8 on non-school day; up to 3 on school day; between 7 a.m. and 7 p.m. (9 p.m. summer)	None
12-13	Non-hazardous (c)	Unlimited hours outside of school	Written consent of parent or work on farm where parent employed	None	None	N A
Under 12	Non-hazardous (c)	Unlimited hours outside of school	On small farm with written consent of parent (e)	None	None	N A
10-11	Hand harvest short season crops (non-hazardous)	Up to 5 hours a day and 30 hours a week outside of school	Under forms of waiver issued by DOL, which includes various protections including parental consent	None	None	N A

- (a) Does not include the following occupations that have statutory exemptions allowing children to work regardless of age: newspaper deliverers, actors, and makers of certain live wreaths.
- (b) Occupations not declared particularly hazardous or detrimental to health or well-being by the Secretary of Labor under 29 C.F.R. 570.50 et seq. For children between 16 and 18 years of age.
- (c) Agricultural occupations not declared particularly hazardous under 29 C.F.R. 570.70 et seq.
- (d) Non-manufacturing and non-mining occupations declared permissible under 29 C.F.R. 570.31 et seq.
- (e) A small farm is an agricultural employer who did not use, during any calendar quarter in the preceding year, more than 500 days of agricultural labor.

¹ General Accounting Office, *Child Labor in Agriculture: Changes Needed To Better Protect Health and Educational Opportunities* (GAO-HEHS-98-193) (Washington: General Accounting Office, 1998) p. 31

As of 1999, the U.S. Congress is considering a new amendment to FLSA, The Young American Workers' Bill of Rights Act (H.R. 1870). This bill amends the FLSA in these ways²:

- Establishes criminal sanctions for willful violations of child labor laws that result in the death of a child (maximum 10 years in prison) and for willful violations that result in serious bodily injury to a child (maximum 5 years in prison);
- Provides that willful and repeated violators of child labor laws are ineligible for federal grants, loans or contracts for 5 years and also are ineligible to pay the subminimum youth training wage or to employ a minor for 5 years;
- Establishes for the first time limits of 4 hours/day and 20 hours week that 16-and 17-year-olds can work while school is in session;
- Requires certificate of employment for minors under the age of 18 -which includes approval by parents and schools in order to avoid interference with school requirements;
- Provides protection for minors under the age of 14 who are migrant workers or seasonal agriculture workers; the bill does not affect in any way the current provision exempting children who work on family farms;
- Broadens the scope of hazardous work orders for teenagers to include paper baling, power-driven meat slicers, door-to-door sales, poultry processing, fish and seafood processing and pesticide handling;
- Requires employers to post at worksites key provisions of applicable child labor laws;
- Requires the Department of Labor (DOL) to publish and circulate regularly the names and addresses of employers who willfully violate child labor laws;
- Requires the DOL to compile and make available to school districts the names and addresses of child labor law violators and the exact nature of the violation;
- Authorizes under certain circumstances a private right of action, in case of serious bodily injury or death, for aggrieved minors or their families against child labor violators;
- Mandates clear coordination and information referral among key federal enforcement agencies (DOL, OSHA, INS, et al.);
- Establishes a permanent Child Labor Advisory Committee to provide expert policy advice to DOL Secretary;
- Extends coverage of child labor laws to all employers regardless of annual dollar volume of sales, although certain small businesses are exempted from other provisions of the Fair Labor Standards Act;
- Authorizes increased funding for additional costs resulting from changes in law, particularly with respect to reporting requirements and penalties;
- Requires DOL to compile yearly data on occupations in which minors under 18 are employed and on the number of child labor violations; and
- Requires DOL and HHS to issue an annual report on child labor in America and the attendant safety and health hazards.

² From American Farmworker Opportunity Program Web site <http://www.afop.org> 1106

II THE UNITED NATIONS

In 1989, the United Nations adopted *The Convention on the Rights of the Child*. As of 1999, every member of the U.N. except two, the United States and Somalia, has ratified it. This sets a record for the most-ratified U.N. convention. The following articles of the convention relate to children in the workforce:

- Article 27- Every child has a right to a standard of living adequate for their physical, mental, spiritual, moral, and social development. States shall ensure that parents provide such an environment, and if the parents are unable to do this, the state will provide material assistance, particularly nutrition, clothing and housing to children.
- Article 28- Every child has a right to free and compulsory education. It is the duty of the state to provide this and encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity.
- Article 31- Every child has the right to rest and leisure, to engage in play and recreational activities and to participate freely in cultural life and the arts.
- Article 32- Every child has the right to be protected from work that threatens his or her health, education or development. The state shall set minimum ages for employment, regulate working conditions, and enact penalties and sanctions to enforcement.
- Article 37- No child shall be subjected to torture, cruel, inhuman or degrading treatment or punishment.
- Article 38- States shall protect children under the age of 15 from involvement in the armed forces.

III THE INTERNATIONAL LABOR ORGANIZATION

The ILO adopted the *Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (182)* during their convention in June 1999. Will this convention be as universally ratified as its U.N. equivalent? Specifically, the convention:

- In Article 1, calls upon states to take "immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor" for everyone under 18 years of age.
- In Article 3, specifies that child labor includes "all forms of slavery or practices similar to slavery," involvement in prostitution and pornography, involvement in drug trafficking or other illicit activities, and work that by its nature is likely to harm the health, safety or morals of children.
- In Article 6, calls upon states to "implement programs of action to eliminate as a priority the worst forms of child labor."
- In Article 7, calls on Member states to ensure access to free basic education and take other steps to prevent children from becoming laborers, to remove children engaged in the worst forms of child labor and to provide appropriate assistance in rehabilitation and integration for such children.

Fiftieth Anniversary of the Universal Declaration of Human Rights

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore,

THE GENERAL ASSEMBLY

proclaims

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures,

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national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

Everyone has the right to recognition everywhere as a person before the law.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

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Article 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to

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marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21.

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right to equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

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Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting

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from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

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106th CONGRESS

1st Session

H. R. 2119

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

IN THE HOUSE OF REPRESENTATIVES

June 10, 1999

Mr. LANTOS (for himself, Mr. CAMPBELL, Mr. PORTER, Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. DAVIS of Illinois, Mr. DELAHUNT, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. JACKSON of Illinois, Ms. KAPTUR, Ms. KILPATRICK, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PHELPS, Mr. RANGEL, Mr. RUSH, Ms. SANCHEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. STARK, Mr. STRICKLAND, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VENTO, Ms. WOOLSEY, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE: REFERENCE.

- (a) SHORT TITLE- This Act may be cited as the 'Young American Workers' Bill of Rights'.
- (b) REFERENCE- Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Fair Labor Standards Act of 1938.

SEC. 2. REPORTING AND RECORDKEEPING.

- (a) CHILD-LABOR LAWS- Section 12 (29 U.S.C. 212) is amended by adding at the end the following new subsection:

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'(e)(1) The Secretary and the United States Census Bureau shall compile data from respective State employment security agencies in all the States (A) on the types of industries and occupations in which children under the age of 18 are employed and on the types of industries and occupations in which children who are 18 and full-time students in a high school are employed, and (B) on cases in which it was determined that minors were employed in violation of this section. The first such compilation shall be completed not later than 2 years after the date of enactment of the Young American Workers' Bill of Rights and each subsequent compilation shall be completed not later than 3 years thereafter.

'(2) If a minor in the course of employment suffers death or an injury or illness resulting in lost work time of at least 1 working day, not later than 5 days after the death, injury, or illness, the employer of the minor shall provide to the State agency a written description of the death, injury, or illness.

'3) The Secretary of Health and Human Services, in conjunction with the Secretary of Labor, shall issue an annual report on the status of child labor in the United States and its attendant safety and health hazards.'

SEC. 3. CERTIFICATES OF EMPLOYMENT.

Section 12 (29 U.S.C. 212) is amended by adding at the end the following new subsection:

'(e)(1) As used in this subsection, the term 'parents' means the biological parents of a minor or other individual standing in loco parentis to a minor and the term 'minor' means an individual who is under the age of 18 and who has not received a high school diploma or its equivalent or who is 18 and enrolled full-time in a high school.

'(2) No employer shall employ a minor unless the minor possesses a valid certificate of employment issued in accordance with this subsection.

'(3) The Governor of a State shall designate a State agency to issue certificates of employment to minors in the State. The agency shall make available, on request, a form for the application described in paragraph (4) and shall make available, as part of the certification process, materials describing applicable Federal requirements governing the employment of minors and the minor's rights under such requirements.

'(4) To be eligible to receive a certificate of employment, a minor must submit to the appropriate State agency an application that contains--

'(A) the name and address of the minor;

'(B) proof of age of the minor;

'(C) if the minor is under the age of 18 or is age 18 and enrolled full-time in a high school--

'(i) a written statement by the parents or legal guardian of the minor that the parents grant consent for employment of the minor; and

'(ii) a written verification from the minor's school that the minor is meeting at

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least the minimum school attendance requirements established by the State and that such employment will not interfere with the schooling of the minor; and

(D) the employer's name, address, signature; and

(E) with respect to the employment--

(i) a statement on the nature of the work to be performed;

(ii) the daily and weekly hours, and

(iii) the times of day in which the work is to be performed.

(5) On receipt of an application under paragraph (4), a State agency shall issue to the minor--

(A) a certificate of employment, if the requirements of paragraph (4) are met; or

(B) a statement of the denial of a certificate of employment (including the reasons for the denial), if the requirements of paragraph (4) are not met.

(6) A certificate of employment issued to a minor under this subsection shall be valid for 1 year after the date of issuance of the certificate or for the duration of the permitted employment, whichever is shorter.

(7) A certificate of employment issued to a minor under this subsection shall indicate--

(A) the name, address, and date of birth of the minor;

(B) a minor will not be employed more than 3 hours per day or more than 15 hours per week and shall be prohibited from working before 7 a.m. and after 7 p.m. when school is in session if such minor is between 14 and 16 years of age and will not be employed more than 4 hours per school day or more than 20 hours per week and shall be prohibited from working before 6 a.m. and after 10 p.m. when school is in session if such minor is 16, 17, or 18 years of age and a full-time student enrolled in a high school; and

(C) the name, address, and telephone number of the State agency that may be contacted for additional information concerning applicable Federal requirements governing the employment of minors.

(8) The State agency shall provide a copy of a certificate of employment issued to a minor who is not older than the age of 18 to the parent of the minor who granted consent pursuant to paragraph (4) and to the local school district where the minor is enrolled.

(9) If an employer employs a minor, not later than 14 days after the date of the commencement of employment of the minor, the employer shall provide to the State agency written notice of the name and occupation of the minor and the number of the certificate of employment issued to the minor.

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(10) Each employer shall post a copy of the provisions of this Act relating to child labor at each premise of a worksite where one or more minors is employed.

(11) A State agency shall report annually to the Secretary concerning certificates of employment issued under this subsection. The agency shall include such information as the Secretary requires (including information on the number of deaths and injuries of minors reported pursuant to subsection (f)).

SEC. 4. REVISIONS OF ORDERS AND REGULATIONS.

(a) ORDERS-

(1) In the administration of the Fair Labor Standards Act of 1938, the Secretary of Labor shall make the following revisions in the Secretary's child labor orders published in subpart E of part 570 of title 29, Code of Federal Regulations:

(A) The exemption provided in Order No. 2 (29 C.F.R. 570.52) shall apply to minors who are at least 18 years of age and to driving that is secondary and incidental to the minor's main occupation. Such exemption would be limited to 20 percent of the minor's work in any workday and may not exceed 5 percent of the minor's work in any workweek.

(B) Order No. 10 (29 C.F.R. 570.61) shall apply with respect to restaurants and fast food establishments. Such order shall prohibit minors who are under the age of 18 or who are 18 and are enrolled full-time in a high school from cleaning any machinery irrespective of who has disassembled the machinery.

(2) In the administration of the Fair Labor Standards Act of 1938, the Secretary of Labor shall find and declare that poultry processing, seafood processing, paper baling, power driven meat slicing, and pesticide handling are occupations that are particularly hazardous for the employment of minors for purposes of section 3(1) of the Fair Labor Standards Act of 1938.

(b) CHILD LABOR REGULATIONS- Under child labor regulation No. 3 (subpart C of 29 C.F.R. 570 et seq.)--

(1) individuals under 16 shall be prohibited from making door-to-door sales for profit.

(2) individuals under 16 shall be prohibited from using fryers, baking equipment, and cooking equipment in food service establishments, and

(3) strike out in section 570.34(b)(5) '(except at soda fountains, lunch counters, snack bars, or cafeteria serving counters)'.

SEC. 5. CRIMINAL PENALTIES FOR CHILD LABOR VIOLATIONS.

(a) WILLFUL VIOLATIONS THAT CAUSE INJURY OR DEATH- Section 16 (29 U.S.C. 216) is amended by adding at the end the following new subsection:

(f) Any person who willfully violates the provisions of section 12, relating to child labor, or

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any regulation issued under such section, shall, on conviction be punished--

'(1) in the case of a willful violation that causes serious bodily injury to an employee described in section 3(1) but does not cause death to the employee, by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 5 years, or by both, except that if the conviction is for a willful violation committed after a first conviction of the person, the person shall be punished by a fine in accordance with section 3571 of such title 18 or by imprisonment for not more than 10 years, or by both; or

'(2) in the case of a willful violation that causes death to an employee described in section 3(1), by a fine in accordance with section 3571 of such title 18 or by imprisonment for not more than 10 years, or by both, except that if the conviction is for a willful violation committed after a first conviction of the person, the person shall be punished by a fine in accordance with section 3571 of such title 18 or by imprisonment for not more than 20 years, or by both.'

(b) NO PRIOR OFFENSE PREREQUISITE FOR CHILD LABOR VIOLATION- The second sentence of section 16(a)

is amended by inserting before the period at the end the following: ', except that this sentence shall not apply to a violation of section 12'.

SEC. 6. CIVIL PENALTIES FOR CHILD LABOR VIOLATIONS.

Section 16(e) (29 U.S.C. 216(e)) is amended--

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by inserting '(1)' after the subsection designation;

(3) by adding at the end the following new paragraphs:

'(2) Any person who willfully violates the provisions of section 12, relating to child labor, or any regulation issued under such section, on more than one occasion, shall, on such additional violation, be ineligible--

'(A) for any grant, contract, or loan provided by an agency of the United States or by appropriated funds of the United States, for 5 years after the date of such additional violation;

'(B) to pay the training wage authorized by section 6 of the Fair Labor Standards Amendments of 1989 (29 U.S.C. 206 note); or

'(C) to employ a minor for a period of 5 years from the date of such violation.'

SEC. 7. CIVIL ACTIONS FOR CHILD LABOR VIOLATIONS.

Section 16 (29 U.S.C. 216), as amended by section 4, is amended by adding at the end the

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following:

(g) Any employer who violates section 12 shall be liable for such legal or equitable relief as may be appropriate. An action to recover such relief may be brought against any employer in any Federal or State court of competent jurisdiction by any employee subject to the protections of section 12 or by the employee's survivors. The court in such an action shall, in addition to any other judgment awarded to the plaintiff, allow a reasonable attorney's fee to be paid by the defendant and costs of the action. If the employee or the employee's survivors obtain a judgment under this subsection and also seek recovery for the same violation through State worker's compensation, this subsection does not preclude a State from choosing to offset recovery obtained under this subsection against recovery provided through State worker's compensation.'

SEC. 8. COORDINATION.

(a) IN GENERAL- The Secretary of Labor shall establish and encourage closer working relationships among Federal and State agencies having responsibility for enforcing labor, safety and health, and immigration laws.

(b) REFERRALS-

(1) The Secretary of Labor shall establish a referral system under which employees engaged in the enforcement of the Fair Labor Standards Act of 1938 and the Occupational Safety and Health Act of 1970 shall--

(A) exchange information about suspected violators of the Acts and monitor the results of referrals to each other, and

(B) provide basic training to each other's staffs concerning the requirements of such Acts.

(2) The Secretary of Labor shall require employees engaged in the enforcement of the Fair Labor Standards Act of 1938 and the Occupational Safety and Health Act of 1970 to establish a referral system with--

(A) employees of the Immigration and Naturalization Service engaged in the enforcement of the Immigration and Nationality Act, and

(B) employees of Departments of Labor of the States engaged in the enforcement of State minimum wage and occupational safety and health laws.

The Immigration and Naturalization Service and the State Departments of Labor shall each be encouraged by the Secretary of Labor to establish information exchanges and, to the extent practicable, provided training to each other's staffs concerning the requirements of the Acts enforced by the respective agencies.

(c) ADVICE FROM PRIVATE AND PUBLIC SECTORS- The Secretary shall seek information and advice from representative elements of the private sector and the non-Federal governmental sector with respect to the provisions of the Fair Labor Standards Act of 1938 and corresponding regulations as they pertain to the employment of minors.

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(d) **ADVISORY COMMITTEE-** The Secretary shall establish an Advisory Committee for Child Labor to provide overall policy advice on matters referred to in subsection (c). The Committee shall be composed of not less than 21 individuals, and shall include representatives of government, labor, industry, education, agriculture, health professions, small business, youth, service industries, retailers, consumer interests, human rights, child welfare, parent groups, and the general public. The Committee shall meet quarterly at the call of the Secretary or upon the call of a majority of the Committee, a quorum being present. The Chairperson of the Committee shall be elected by the Committee from among its members.

Members of the Committee shall be appointed by the President for a period of 4 years and may be reappointed for one or more additional periods. The Secretary shall make available to the Committee such staff, information, personnel, and administrative services and assistance as it may reasonably require to carry out its activities.

SEC. 9. PUBLICATION OF VIOLATORS.

(a) **IN GENERAL-** The Secretary of Labor shall publish and disseminate the names and addresses of each person who has willfully violated the provisions of section 12 of the Fair Labor Standards Act of 1938 relating to child labor or any regulation under such section and the types of violations committed by such person and shall distribute the publication regionally.

(b) **NOTICE TO SCHOOL DISTRICTS-** The Secretary shall post and otherwise make available to affected school districts the name of each employer who violates the provisions of section 12 of the Fair Labor Standards Act of 1938, relating to child labor, or any regulation issued under such section together with a description of the location and nature of the violation.

SEC. 10. COVERAGE.

The provisions of sections 12 and 16(e) of the Fair Labor Standards Act of 1938 shall apply to employers regardless of the annual dollar volume of sales whereby certain enterprises are exempted from coverage under such Act.

SEC. 11. PROTECTION OF MINORS WHO ARE MIGRANT OR SEASONAL AGRICULTURAL WORKERS.

(a) **DEFINITION OF OPPRESSIVE CHILD LABOR-** The first sentence of section 3(1) (29 U.S.C. 203(1)) is amended--

(1) by striking 'or' before '(2)'; and

(2) by inserting before the semicolon the following: ', or (3) any employee under the age of 14 years is employed by an employer as a migrant agricultural worker (as defined in section 3(8) of the Migrant and Seasonal Agricultural Protection Act (29 U.S.C. 1802(8)) or seasonal agricultural worker (as defined in section 3(10) of such Act)'.

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(b) EXEMPTIONS- Section 13 (29 U.S.C. 213) is amended--

(1) in subsection (a)(6), by inserting before the semicolon at the end the following: ', except that this paragraph shall not apply to an employee described in section 3(l)(3); and

(2) in subsection (c)--

(A) in paragraph (1), by striking 'Except as provided in paragraph (2) or (4)' and inserting 'Except as provided in paragraph (2), (4), or (5)'; and

(B) by adding at the end the following new paragraph:

'(5) The provisions of section 12 relating to child labor shall apply to an employee described in section 3(l)(3).'

SEC. 12. REGULATIONS.

The Secretary of Labor shall issue such regulations as are necessary to carry out this Act and the amendments made by this Act.

SEC. 13. AUTHORIZATION.

There is authorized to be appropriated to the Secretary of Labor such sums as may be necessary for the additional costs resulting from the amendments made by sections 2 and 5.

END



International Labour Conference

87th Session
Geneva, June 1999

CONVENTION 182

CONVENTION CONCERNING THE PROHIBITION
AND IMMEDIATE ACTION FOR THE ELIMINATION
OF THE WORST FORMS OF CHILD LABOUR
ADOPTED BY THE CONFERENCE AT
ITS EIGHTY-SEVENTH SESSION,
GENEVA, 17 JUNE 1999

Convention 182

CONVENTION CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOUR

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office,
and having met in its 87th Session on 1 June 1999, and

Considering the need to adopt new instruments for the prohibition and elimination of the
worst forms of child labour, as the main priority for national and international action,
including international cooperation and assistance, to complement the Convention and the
Recommendation concerning Minimum Age for Admission to Employment, 1973, which
remain fundamental instruments on child labour, and

Considering that the effective elimination of the worst forms of child labour requires
immediate and comprehensive action, taking into account the importance of free basic
education and the need to remove the children concerned from all such work and to provide
for their rehabilitation and social integration while addressing the needs of their families, and

Recalling the resolution concerning the elimination of child labour adopted by the
International Labour Conference at its 83rd Session in 1996, and

Recognizing that child labour is to a great extent caused by poverty and that the long-term
solution lies in sustained economic growth leading to social progress, in particular poverty
alleviation and universal education, and

Recalling the Convention on the Rights of the Child adopted by the United Nations General
Assembly on 20 November 1989, and

Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-
up, adopted by the International Labour Conference at its 86th Session in 1998, and

Recalling that some of the worst forms of child labour are covered by other international

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instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention: adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention, 1999.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term "child" shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term "the worst forms of child labour" comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.
2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

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3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5

Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.
2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.
2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:
 - (a) prevent the engagement of children in the worst forms of child labour;
 - (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
 - (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
 - (d) identify and reach out to children at special risk; and
 - (e) take account of the special situation of girls.
3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9

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The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
2. It shall come into force 12 months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by the Director-General in accordance with the provisions of the preceding Articles.

Article 14

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and

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shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides --

(a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention unanimously adopted by the General Conference of the International Labour Organization during its Eighty-seventh Session which was held at Geneva and declared closed on 17 June 1999.

IN FAITH WHEREOF we have appended our signatures this day of June 1999.

The President of the Conference.

The Director-General of the International Labour Office.

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UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

Convention on the Rights of the Child

Adopted and opened for signature, ratification and accession by General Assembly
resolution 44/25
of 20 November 1989

entry into force 2 September 1990, in accordance with article 49

status of ratifications

Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of

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the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, maturity is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

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2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

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2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

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Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression: this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others; or
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of

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peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

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Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counseling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that

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the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable

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standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the

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child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
 - (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
 - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
 - (d) Make educational and vocational information and guidance available and accessible to all children;
 - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing

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countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

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2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- (a) Provide for a minimum age or minimum ages for admission to employment;
- (b) Provide for appropriate regulation of the hours and conditions of employment;
- (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

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(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the

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time they were committed:

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

- (i) To be presumed innocent until proven guilty according to law;
- (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
- (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
- (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
- (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
- (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
- (vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
- (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counseling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

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- (a) The law of a State party; or
- (b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.
2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.
3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.
4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

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8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:
 - (a) Within two years of the entry into force of the Convention for the State Party concerned;
 - (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations

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organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

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1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed the present Convention.



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